
Widening of Jamboree Road Between North Bristol Street (Newport Beach) and Centerpointe (Irvine)

Joint Cities Initial Study and Draft Mitigated Negative Declaration

Lead Agency

**Public Works Department
City of Newport Beach
3300 Newport Boulevard
Newport Beach, CA 92658-8915**

Responsible Agency

**Public Works Department
City of Irvine
1 Civic Center Plaza
Irvine, CA 92606-5207**

Environmental Consultant

**UltraSystems Environmental Incorporated
16431 Scientific Way
Irvine, CA 92618**

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Section 1

Project Description

1.1 Introduction

The City of Newport Beach is preparing an environmental document (ED) for the proposed project pursuant to the California Environmental Quality Act (CEQA). The proposed project will improve traffic flow along a stretch of Jamboree Road that is within both of these two cities. It is projected that post 2030, that the proposed improvements will improve from LOS F to LOS D at the intersection of Jamboree Road and MacArthur Boulevard. This project also implements the City of Newport Beach Circulation Element Policy CE 2.1.4 by constructing intersection improvements identified on the Circulation Element Figure CE3 – Recommended Intersection Improvements, specifically, Intersection Improvement No. 29. A joint ED is being prepared to avoid the need for each city to prepare a separate document for the same project. The City of Newport Beach is the lead agency and the City of Irvine is a Responsible Agency. This Initial Study has been prepared in accordance with the requirements of Section 15063 of the *State CEQA Guidelines*.

1.2 Project Location

The area of the proposed widening would occur on the southeast side of Jamboree Road between Bristol Street North (Newport Beach) and Centerpointe (Irvine) (see Figures 1 and 2, Regional and Local Vicinity Maps). Other project features includes modification of the existing median and restriping

1.3 Existing Setting

The project site is within the existing street right-of-way and the lands immediately adjacent to the southeast side of Jamboree Road. The existing setting is shown in Figure 2, Aerial Map of the Project Area. Between Bristol Street North and MacArthur Boulevard within the City of Newport Beach, the southeast side of Jamboree Road is bordered by a curb and a concrete sidewalk that is approximately 10 feet wide; adjacent to the sidewalk is vegetation that is either non-native turf grass or native salt bush. An Environmental Sensitive Habitat Area (ESHA) as defined by the City of Newport Beach Local Coastal Program Coastal Land Use Plan and riparian vegetation as defined by the California Department of Fish and Game is located immediately adjacent to the southeast side of Jamboree Road south of MacArthur Boulevard. The sidewalk extends from the south of MacArthur Boulevard for a distance of approximately 320 feet at which point the concrete stops and a dirt path continues for an additional 180 feet where it terminates at the northbound on-ramp to the SR-73 Freeway.

Between MacArthur Boulevard and Centerpointe within the City of Irvine, the southeast side of Jamboree Road is bordered by a curb and a landscaped grass area approximately 35 feet wide and 550 feet long. There are four ornamental trees within the landscaped area that are set back from Jamboree Road and front the parking lot. An approximately 7-foot wide concrete sidewalk extends northward from MacArthur

Boulevard for a distance of approximately 60 feet; the remainder of the property adjacent to the curb is the landscaped grass area.

1.4 Surrounding Uses

Between Bristol Street North and MacArthur Boulevard, the land to the southeast is in an open space use that acts as a drainage collection area for urban runoff from the industrial/commercial areas to the northwest. Between MacArthur Boulevard and Centerpointe within the City of Irvine, the land to the southeast is occupied by an industrial/commercial area known as the Irvine Business Complex. To the southwest is the SR-73 Freeway. Northwest and north of the project site is an industrial/ commercial area.

1.5 Project Description

The proposed project includes the improvement of Jamboree Road between Bristol Street North in Newport Beach and Centerpointe in Irvine (see Figures 3A-3C, Concept Plan for Jamboree Road Widening). The proposed improvements along this segment include street widening to accommodate additional lanes primarily at the intersection of Jamboree Road and MacArthur Boulevard, intersection improvements, median improvements, construction of one retaining wall and one planter wall, and parkway improvements. The length of the area of proposed improvements along Jamboree Road is approximately 1,400 feet (0.3 miles). Improvements indicated in Figure 3A on Jamboree Road south of the project, indicated as being completed by others, will be constructed between February 2011 and February 2012, so it will be constructed concurrently with this project. For the purposes of this study, Jamboree Road proceeds north-south and MacArthur Boulevard proceeds east-west.

The specific components of the project are described below:

Within the City of Irvine

- Street improvements would include widening the east side of Jamboree Road at the intersection of MacArthur Boulevard to provide an additional through-lane for northbound traffic on Jamboree Road and an additional left-turn lane for southbound traffic onto eastbound MacArthur Boulevard. The existing striping would be removed and restriped. The roadway may also be resurfaced with a 2-inch Asphalt Pavement overlay.
- Intersection improvements would include traffic signal modifications at the intersections of Jamboree Road and both MacArthur Boulevard and Centerpointe.
- Median improvements would include removal of the existing median north of MacArthur Boulevard and construction of new median curb. The median would be constructed of partial landscaping and stamped concrete. The median improvements would occur in both cities and varies in width from 3 to 11 feet.
- An existing retaining wall on the northeast corner of the intersection of Jamboree Road and MacArthur Boulevard would be removed and reconstructed to allow for

the street widening. A planter wall would be constructed at the back of sidewalk between MacArthur Boulevard and Centerpoint.

- Parkway improvements associated with the widening would include re-grading, landscaping (shrubs and groundcover or turf), catch basin relocations, sidewalk construction, construction of two curb ramps, and monument sign relocation. The following utilities would also be relocated or adjusted to grade: electric, telephone, television, water, storm drain, and irrigation.

Within the City of Newport Beach

- Street improvements would include widening the east side of Jamboree Road at the intersection of MacArthur Boulevard to provide an additional right-turn lane for north-bound traffic onto eastbound MacArthur Boulevard.
- Intersection improvements would include traffic signal modifications at the intersection of Jamboree Road and MacArthur Boulevard, at the southwest corner.
- Median improvements would include removal of the existing median north of MacArthur Boulevard and construction of new median curb. The median would be constructed of partial landscaping and stamped concrete. The median improvements would occur in both cities and varies in width from 3 to 11 feet.
- A new retaining wall would also be constructed along Jamboree Road southeast of the intersection of MacArthur Boulevard. An Environmental Sensitive Habitat Area (ESHA) and riparian vegetation is located adjacent to the east side of Jamboree Road, south of MacArthur Boulevard. The sidewalk on the east side of Jamboree Road will be removed and will not be replaced in order to minimize the impacts of the roadway widening on to the adjacent ESHA and riparian vegetation area.
- Parkway improvements associated with the widening would include re-grading, landscaping (shrubs and groundcover or turf), catch basin relocation, and sidewalk construction. The following utilities would also be relocated or adjusted to grade: electric, telephone, television, water, storm drain, and irrigation.

During construction, lane closures along Jamboree Road would be required, and the other lanes along the roadway may be narrower (no less than 10 feet wide) than existing and ultimate lane widths to accommodate the work.

Implementation of the project components would also require the acquisition of rights-of-way and temporary construction easements (TCE) along Jamboree Road (see Figure 3, Concept Plan). Partial property acquisition would be required from four adjacent parcels. Table 1 displays the estimated property acquisition to implement the proposed project.

**Table 1
Estimated Property Acquisitions**

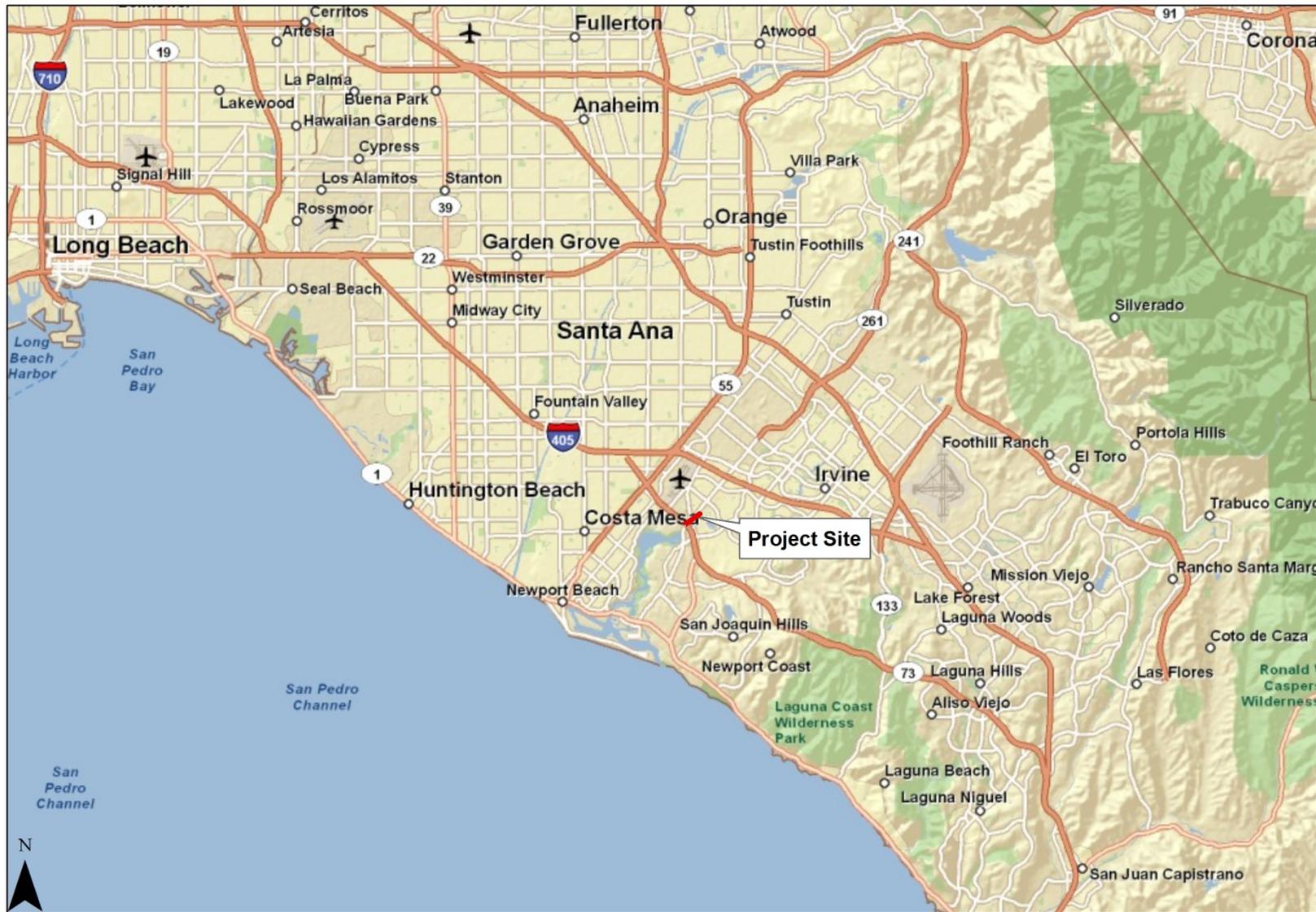
Jurisdiction (City of)	Assessor Parcel Number	Property Acquisitions	Right-of- Way	Depth of Takes	TCE
Newport Beach	447-242-007	Partial	1,500 SF	0-8 ft	--
Irvine	445-132-009	Partial	2,800 SF	14 ft	3,200 SF
Irvine	445-132-011	Partial	2,700 SF	11-14 ft	3,550 SF
Irvine	445-132-018	Partial	4,300 SF	9.5 - 11 ft	5,350 SF

1.6 Schedule

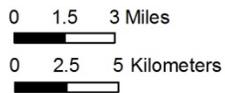
Complete Preliminary Engineering and Environmental Document 11/16/10
 Complete Construction Documents 11/19/10
 Complete Right-of-Way Acquisition 1/7/11
 Complete Resource Agency Permitting 1/7/11
 Complete Bidding Support and Contract Execution 3/29/11
 Complete Construction 7/19/11

1.7 Approval Requirements

A waiver for a Coastal Development Permit will be requested from the Coastal Commission pursuant to Section 13238.1, Title 14, California Code of Regulations.



Source: ESRI, AND, TANA, ESRI Japan, UNEP-WCMC, 2009



Legend

— Project Boundary

Figure 1
Regional Map



Source: Aerial: ESRI World Imagery, n.d.

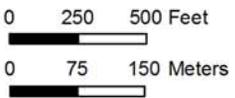


Figure 2
Local Vicinity Map

Source: VA Consulting, Inc. 2010

Figure 3A
Concept Plan for Jamboree Road Widening

Source: VA Consulting, Inc. 2010

Figure 3B
Concept Plan for Jamboree Road Widening

Figure 3C
Concept Plan for Jamboree Road Widening

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Section 2

JOINT CITIES OF NEWPORT BEACH AND IRVINE ENVIRONMENTAL CHECKLIST

1. *Project Title:* **Widening of Jamboree Road between North Bristol Street (Newport Beach) and Centerpointe (Irvine)**

- 2A. *Lead Agency Name and Address:*
**Public Works Department
City of Newport Beach
3300 Newport Boulevard,
Newport Beach, CA 92658-8915**

- 2B. *Responsible Agency Name and Address:*
**Public Works Department
City of Irvine
1 Civic Center Plaza
Irvine, CA 92606-5207**

- 3A. *Newport Beach Contact Person and Phone Number:*
**Andy Tran, P.E., Senior Civil Engineer
(949) 644-3209**

- 3B. *Irvine Contact Person and Phone Number:*
**Katie Berg-Curtis, Project Development Administrator
(949) 724-7347**

4. *Project Location:* Within the street and the lands immediately adjacent to the southeast side of Jamboree Road between North Bristol Street (Newport Beach) and Centerpointe (Irvine) (see Figures 1 and 2, Regional and Local Vicinity Maps)

5. *Project Sponsor's Name and Address:*
**Andy Tran, P.E., Senior Civil Engineer
Public Works Department
City of Newport Beach
3300 Newport Boulevard
Newport Beach, CA 92658-8915**

6. *General Plan Designation:*
Newport Beach: the land immediately adjacent to the southeast side of Jamboree Road between North Bristol Street and MacArthur Boulevard is designated "Open Space."
Irvine: the land immediately adjacent to the southeast side of Jamboree Road between MacArthur Boulevard and Centerpointe is designated "Urban and Industrial."

7. *Zoning:*
Newport Beach: the land immediately adjacent to the southeast side of Jamboree Road between North Bristol Street and MacArthur Boulevard is zoned “Planned Community (PC-42).”
Irvine: the land immediately adjacent to the southeast side of Jamboree Road between MacArthur Boulevard and Centerpointe is zoned “5.1 Irvine Business Complex Multi-Use.”

8. *Description of Project:* (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

Please see Section 1.4 above.

9. *Surrounding Land Uses and Setting:* (Briefly describe the project's surroundings.)

Current Development:	
To the north:	Commercial/Industrial Office Buildings
To the east:	Open Space (Newport Beach) and Commercial/Industrial Office Buildings (Irvine)
To the south:	SR-73 San Joaquin Hills Transportation Corridor
To the west:	Commercial/Industrial Office Buildings

10. *Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)*

A waiver for a Coastal Development Permit will be requested from the Coastal Commission pursuant to Section 13238.1, Title 14, California Code of Regulations.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology & Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology & Water Quality |
| <input type="checkbox"/> Land Use & Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population & Housing | <input checked="" type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/ Circulation | <input type="checkbox"/> Utilities & Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION (To be completed by the Lead Agency.)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

City of Newport Beach

 7-29-10
Signature Date

Andy Tran, Senior Civil Engineer, Public Works Department
Printed Name, Title, Department

ENVIRONMENTAL CHECKLIST

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
I. AESTHETICS					
Would the project:					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. AGRICULTURE AND FOREST RESOURCES					
Would the project:					
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. AIR QUALITY					
Would the project:					
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES					
Would the project:					
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impeded the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
V. CULTURAL RESOURCES					
Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VI. GEOLOGY AND SOILS					
Would the project:					
	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VII. GREENHOUSE GAS EMISSIONS				
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VIII. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:				
a) Create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites which complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. HYDROLOGY AND WATER QUALITY					
Would the project:					
a)	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of a course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. LAND USE AND PLANNING					
Would the proposal:					
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. MINERAL RESOURCES					
Would the project:					
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. NOISE					
Would the project result in:					

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. POPULATION AND HOUSING

Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. PUBLIC SERVICES				
Would the project:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. RECREATION				
Would the project:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction of or expansion of recreational facilities which might have an adverse physical effect on the environment? opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. TRANSPORTATION/TRAFFIC

Would the project:

- | | | | | | |
|----|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) | Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Result in inadequate emergency access? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) | Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XVII. UTILITIES & SERVICE SYSTEMS

Would the project:

a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulation related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major period of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SOURCE LIST

The following enumerated documents are available at the offices of the City of Newport Beach, Planning Department, 3300 Newport Boulevard, Newport Beach, California 92660.

1. General Plan, including all its elements, City of Newport Beach.
2. Title 20, Zoning Code of the Newport Beach Municipal Code.
3. Coastal Land Use Plan, City of Newport Beach.

The following enumerated documents are available at the offices of the City of Irvine, Planning Department, 1 Civic Center Plaza, Irvine, California 92606.

4. General Plan, including all its elements, City of Irvine.
5. Ordinance No. 10-04, Zoning Code of the City of Irvine

Section 3

Discussion of Environmental Impacts

The discussion of environmental impacts will address each city separately when the topic requires separate analyses. Where one analysis will adequately address both cities a single response is provided.

3.1 Aesthetics

Would the project:

a) Have a substantial adverse effect on a scenic vista?

No Impact. Figure NR3 in the City of Newport Beach General Plan identifies public view points of coastal views, which includes public views of the Upper Newport Bay. Two public view points that are located west of Jamboree Road and south of SR-73 afford views of the northern reach of Upper Newport Bay. Each of these public view points is more than 0.5 mile distant from the southernmost location of the project site. The two public view points are not visible from the project site. Therefore, the Jamboree Road widening project would have no impact on designated scenic vistas within Newport Beach.

Figure A-4 in the City of Irvine General Plan identifies scenic highways and major public view points. Jamboree Road is not designated as a scenic highway in Irvine. The closest major view point is located east of Jamboree Road along University Drive near its intersection with Culver Drive. This public view point is almost two miles from the northernmost location of the project site. This public view point is not visible from the project site. Therefore, the Jamboree Road widening project would have no impact on designated scenic vistas within Irvine.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less than Significant Impact. There are no rock outcroppings or historic buildings within a state scenic highway near the project site. The trees that are located within the drainage/ESHA area adjacent to the project site within Newport Beach are all common species and would not be impacted by the widening of Jamboree Road. The trees that are located within the landscaped area adjacent to Jamboree Road in the City of Irvine would be removed and replaced on a one to one ratio consistent with the City's Urban Forestry Ordinance. Therefore, the Jamboree Road widening project would have no impact on rock outcroppings or historic buildings within a state scenic highway, and a less than significant impact on trees within each city.

- c) **Substantially degrade the existing visual character or quality of the site and its surroundings?**

Less than Significant Impact. Generally, the area north and west of the project consists of commercial/industrial office buildings. The area to the east consists of commercial/industrial office buildings in Irvine, and open space in Newport Beach. To the south of the project is the SR-73 San Joaquin Hills Transportation Corridor.

The widening of Jamboree Road would minimally degrade the existing visual character or quality of the site and its surroundings. After construction is completed the visual appearance of Jamboree Road would be similar to what it currently is. However, southeast of the intersection of MacArthur Boulevard and Jamboree Road, the roadway would be widened on the west side and a retaining wall will be constructed. Northeast of this intersection, the roadway would continue to be widened on the west side, moving the curb and gutter and sidewalk further west, and requiring the removal and construction of retaining walls. Jamboree Road would be restriped and the existing median would be removed and a new median would be constructed to provide for the additional northbound through lane on Jamboree Road, and additional southbound left turn lane on Jamboree Road, turning eastward onto MacArthur Boulevard. For most motorists, these alterations to the roadway and adjacent areas would have little impact on their enjoyment of the visual character or quality of the site and its surroundings.

- d) **Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

No Impact. The widening of Jamboree Road would not add any new sources of light or glare. The existing street lighting and signals would be retained along most of the roadway improvement area. However, traffic lights would be relocated and new lights installed at the intersection of Jamboree Road and MacArthur Boulevard. These typically do not cause excess glare and would not be out of character with a major intersection. Additional lights would not occur in or adjacent to the ESHA area southeast of the intersection, and would not disturb biological resources that occupy this area. Therefore, the Jamboree Road widening project would have no impact on the day or nighttime views in the area.

3.2 Agriculture & Forestry Resources

Would the project:

- a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

or

- b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

or

- c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

or

- d) **Result in the loss of forest land or conversion of forest land to non-forest use?**

or

- e) **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

No Impact. The project site is not identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on the Farmland Mapping and Monitoring program of the Department of Conservation. The project site and the area in the immediate vicinity of this portion of Jamboree Road is not currently zoned or used for agricultural, forest or timberland purposes and does not fall under a Williamson Act contract. There are no agricultural or forest resources or operations in the vicinity of the project site. Therefore, the proposed project would have no impacts to agricultural resources or forest land.

3.3 Air Quality

Discussion:

The project site is located within the South Coast Air Basin (SCAB), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SCAQMD is responsible for preparing a regional Air Quality Management Plan (AQMP) to improve air quality in the SCAB. The AQMP includes a variety of strategies to accommodate growth, to reduce the high levels of pollutants within the region, to meet State and federal ambient air quality standards, and to minimize the fiscal impact that pollution control measures have on the local economy.

SCAQMD adopted its *CEQA Air Quality Handbook* (Handbook) to assist other public agencies with the preparation of air quality analyses. The SCAQMD-established thresholds for construction and operation emissions are used to evaluate impacts on regional air quality. "Criteria pollutants" are air pollutants for which acceptable levels of exposure can be determined and an ambient air quality standard has been established by the U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB). The criteria air pollutants of concern are nitrogen oxides,

carbon monoxide, particulate matter, sulfur dioxide, lead, and ozone. Since the proposed project would not generate sulfur dioxide (SO₂) or lead (Pb) emissions, it is not necessary for the analysis to include those two pollutants. Presented below is a description of the air pollutants of concern and their known health effects.

Nitrogen Oxides (NO_x) serve as integral participants in the process of photochemical smog production, and are precursors for certain particulate compounds that are formed in the atmosphere. The two major forms of NO_x are nitric oxide (NO) and nitrogen dioxide (NO₂). NO is a colorless, odorless gas formed from atmospheric nitrogen and oxygen when combustion takes place under high temperature and/or high pressure. NO₂ is a reddish-brown pungent gas formed by the combination of NO and oxygen. NO₂ acts as an acute respiratory irritant and eye irritant, and increases susceptibility to respiratory pathogens. A third form of NO_x, nitrous oxide (N₂O), is a greenhouse gas (GHG).

Carbon Monoxide (CO) is a colorless, odorless non-reactive pollutant produced by incomplete combustion of carbon substances (e.g., gasoline or diesel fuel). The primary adverse health effect associated with CO is its binding with hemoglobin in red blood cells, which decreases the ability of these cells to transport oxygen throughout the body. Prolonged exposure can cause headaches, drowsiness, or loss of equilibrium; and high concentrations are lethal.

Particulate Matter (PM) consists of finely divided solids or liquids, such as soot, dust, aerosols, fumes and mists. Two forms of fine particulate matter are now recognized. Respirable particles, or PM₁₀, include that portion of the particulate matter with an aerodynamic diameter of 10 micrometers (i.e., 10 one-millionths of a meter or 0.0004 inch) or less. Fine particles, or PM_{2.5}, have an aerodynamic diameter of 2.5 micrometers (i.e., 2.5 one-millionths of a meter or 0.0001 inch) or less. Particulate discharge into the atmosphere results primarily from industrial, agricultural, construction, and transportation activities. However, wind action on the arid landscape also contributes substantially to the local particulate loading. Fossil fuel combustion accounts for a significant portion of PM_{2.5}. In addition, particulate matter forms in the atmosphere through reactions of NO_x and other compounds (such as ammonia) to form inorganic nitrates. Both PM₁₀ and PM_{2.5} may adversely affect the human respiratory system, especially in those people who are naturally sensitive or susceptible to breathing problems.

Reactive Organic Gases (ROG) are compounds comprised primarily of atoms of hydrogen and carbon that have high photochemical reactivity. The major source of ROG is the incomplete combustion of fossil fuels in internal combustion engines. Other sources of ROG include the evaporative emissions associated with the use of paints and solvents, the application of asphalt paving and the use of household consumer products. Adverse effects on human health are not caused directly by ROG, but rather by reactions of ROG to form secondary pollutants. ROG are also transformed into organic aerosols in the atmosphere, contributing to higher levels of fine particulate matter and lower visibility. The

term “ROG” is used by the CARB for air quality analysis and is defined the same as the federal term “volatile organic compound” (VOC).

Ozone (O₃) is a secondary pollutant produced through a series of photochemical reactions involving ROG and NO_x. O₃ creation requires ROG and NO_x to be available for approximately three hours in a stable atmosphere with strong sunlight. Because of the long reaction time, peak ozone concentrations frequently occur downwind of the sites where the precursor pollutants are emitted. Thus, O₃ is considered a regional, rather than a local, pollutant. The health effects of O₃ include eye and respiratory irritation, reduction of resistance to lung infection and possible aggravation of pulmonary conditions in persons with lung disease. O₃ is also damaging to vegetation and untreated rubber.

Would the project:

a) **Conflict with or obstruct implementation of the applicable air quality plan?**

No Impact. The most recently approved applicable air quality plan for the project area is the 2007 AQMP, which was designed to meet both federal and State requirements, including achieving ambient air quality standards. The AQMP strategy is based on projections from local general plans and regional growth projections developed by the Southern California Association of Governments (SCAG). A project is deemed inconsistent with air quality plans if it would result in population and/or employment growth that exceeds growth estimates included in the AQMP.

The proposed project is designed to widen Jamboree Road between North Bristol Street and Centerpointe. Implementation of the proposed project would not affect population, housing units, or employment or otherwise be inconsistent with the growth forecasts identified in the AQMP. In addition, improvement of this intersection is included in the City of Newport Beach General Plan, Intersection Improvement No. 29. Therefore, the proposed project would be consistent with the 2007 AQMP and no impact would occur with the project’s implementation.

b) **Violate any air quality standard or contribute to an existing or projected air quality violation?**

Less Than Significant Impact. Air quality impacts are typically divided into two categories, short-term impacts and long-term impacts. Short-term impacts are associated with a project’s construction activities, such as demolition, site grading, excavation, structural construction, paving, and finishing. Long-term impacts are associated with the operational activities of a proposed project. Table 3.3-1 (SCAQMD Significance Thresholds) presents the significance thresholds for criteria air pollutants established by SCAQMD. A project is considered to generate a regional air quality impact if emissions from its construction and/or operational activities exceed the corresponding SCAQMD significance thresholds.

**Table 3.3-1
SCAQMD Significance Thresholds**

Emission Rates	Pollutant Emission Threshold (lbs/day)				
	VOC	NO _x	CO	PM ₁₀	PM _{2.5}
Construction	75	100	550	150	55
Operation	55	55	550	150	55

Source: SCAQMD. *CEQA Air Quality Handbook*. 1993. (Revised December 2007).

Construction (Short-Term Impacts)

Construction of the proposed project would generate temporary, short-term emissions of various air pollutants. Construction emissions can be distinguished as either on-site or off-site. On-site air pollutant emissions during construction would principally consist of exhaust emissions from heavy-duty construction equipment, and fugitive particulate matter from earthwork and material handling operations. Off-site emissions would result from truck delivery of construction materials and hauling of construction debris, and workers commuting to and from the project site. Pollutant emissions would vary from day to day depending on the intensity and type of construction activity.

Although construction would occur intermittently, the worst-case (maximum) daily construction emissions would be generated when maximum pieces of construction equipment and haul trucks are operating during the same day. For purpose of this analysis, it was assumed that:

- A maximum of ten pieces of construction equipment would be operating simultaneously in a given day;
- A maximum of five truck trips per day would occur for soil hauling, and/or for materials delivery; and
- Minimum grading would be required for the construction.

On-site and off-site emissions of criteria pollutants from construction activities were estimated using the construction module of URBEMIS 2007.¹ Estimates of the types of equipment anticipated in each phase of construction were based on typical equipment requirements for a roadway construction project. Equipment exhaust emissions were modeled using the URBEMIS 2007 default values for horsepower and load factors. Estimated emissions from the proposed project construction are shown in Table 3.3-2 (Maximum Project Construction Emissions) and are compared to the SCAQMD thresholds of significance. Note that the emission estimates do not take into account emission reductions per implementation of typical fugitive dust control measures that would be required to comply with SCAQMD Rule 403. Further, the emission estimates represent a

¹ URBEMIS 2007 modeling outputs are provided in Appendix A.

worst-case scenario when all of the construction equipment from demolition, and roadway construction and truck hauling activities would occur on the same day. These worst-case predictions would not be continuous, nor would they be typical of emission levels throughout the construction period. The modeling output files are included in Appendix A.

**Table 3.3-2
Maximum Project Construction Emissions**

Emission Source	Pollutant Emission (lbs/day)				
	VOC	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Daily Construction Emissions	5.13	46.49	20.91	2.31	2.12
<i>SCAQMD Significance Thresholds</i>	<i>75</i>	<i>100</i>	<i>550</i>	<i>150</i>	<i>55</i>

As shown in Table 3.3-2, the unmitigated maximum daily emissions would be below the SCAQMD significance thresholds for all criteria pollutants. Therefore, air quality impacts associated with construction of the proposed project would be temporary and less than significant.

Operation (Long-Term Impacts)

No Impact. Operation of the proposed project would not generate new stationary or mobile sources of emissions. Therefore, no long-term air quality impacts would be anticipated.

- c) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

Less Than Significant Impact. The SCAB is currently in non-attainment for both the California and federal ambient air quality standards for O₃, PM₁₀ and PM_{2.5}. During construction, the proposed project's emissions of NO_x and ROG (which are O₃ precursors), and PM₁₀ and PM_{2.5} would not exceed SCAQMD thresholds. Given the intermittent and short-term nature of construction emissions, the impacts would be less than significant.

Operation of the proposed project would not result in increases of criteria pollutant emissions. Further, the proposed project would not be population and/or job growth inducing, and therefore would be consistent with the AQMP. Therefore, a cumulatively considerable air quality impact would not occur.

- d) **Expose sensitive receptors to substantial pollutant concentrations?**

Less Than Significant Impact. Sensitive receptors are persons who would be more susceptible to air pollution than the general population, such as children, athletes, the elderly, and the chronically ill. Examples of land uses where substantial numbers of sensitive receptors are often found are schools, daycare centers, parks, recreational areas, medical facilities, nursing homes, and convalescent care facilities. Residential areas are also considered to be sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to pollutants.

Construction (Short-Term Impacts)

Construction of the proposed project would generate short-term emissions. However, given the extent and intensity of construction activities, it would not generate substantial amounts of air pollutants, as illustrated in Table 3.3-2 above. Further, no sensitive receptors are present within 1,500 feet of the proposed project site. The closest residential land uses are to the west of the project site in Newport Beach off of Bayview Circle. Therefore, short-term impacts from the project's construction would be less than significant.

Operation (Long-Term Impacts)

Operation of the proposed project would not generate any new sources of criteria pollutant emissions. Therefore, no operational impacts would occur.

e) **Create objectionable odors affecting a substantial number of people?**

No Impact. Construction of the proposed project would potentially generate odors due to operation of construction equipment (diesel exhaust). These odors, which would be temporary in nature, would occur during daytime hours only and be isolated to the immediate vicinity of the construction activities. They would not affect a substantial number of people and the impact would be less than significant.

The operational phase of the proposed project would not introduce significant odor generating sources that generate objectionable odors. Therefore, no impact would occur.

3.4 Biological Resources

Would the project:

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Less Than Significant With Mitigation Incorporated. An Environmental Sensitive Habitat Area (ESHA) as defined by the City of Newport Beach Local Coastal Program Coastal Land Use Plan and riparian vegetation as defined by the California Department of Fish and Game are located immediately adjacent to the southeast side of Jamboree Road south of MacArthur Boulevard.

This ESHA and riparian vegetation provide suitable habitat for numerous sensitive wildlife species that could be affected directly (vegetation removal within the ESHA or riparian vegetation) and indirectly (noise and visual disturbances) by the construction activities. These species include all bird species covered by the Migratory Bird Treaty Act (MBTA), State species of special concern, State and federally listed endangered species, and sensitive bat species. With the implementation of mitigation measures MM BR.1 through MM BR.6, direct and indirect impacts to this habitat and associated sensitive species would not occur or they would be less than significant.

The U.S Army Corps of Engineers (USACE), California Coastal Commission (CCC), and the California Department of Fish and Game (CDFG) have jurisdiction over certain streams, open water, riparian habitat, and wetlands such as those resources located within the Biological Study Area (BSA). Alteration, such as filling, of these jurisdictional areas requires permits from the USACE, Regional Water Quality Control Board (RWQCB), and CDFG. As the project is currently designed, the limits of construction are located outside of USACE, RWQCB, and CDFG jurisdictions. However, if inadvertent impacts occur to these jurisdictional areas then an after-the-fact permitting situation would be triggered. Inadvertent impacts could occur by construction equipment extending beyond the limits of the proposed Project. Alternatively, dirt and cobbles could roll down the steep slope located on the south side of Jamboree Road and into the USACE, RWQCB, and CDFG jurisdictions. With the implementation of mitigation measures MM BR 1 through MM BR 6, these impacts would be less than significant.

Policy 4.2.2-3 of the Local Coastal Program of the City of Newport Beach states that buffer areas around wetlands are required to ensure their biological integrity and preservation. Buffer widths are to have a minimum of 100 feet, wherever possible. However, Policy 4.2.2-3 also allows smaller wetland buffers, if a narrower buffer would be amply protective of the biological integrity of the wetland given the site-specific characteristics of the resource and the type and intensity of disturbance. In the case of the Jamboree Road Widening Project, the current buffer between the edge of the sidewalk and the CCC-defined wetland and ESHA is currently at 13 linear feet or greater. Therefore, the 100 foot buffer is not possible because the existing situation prior to Project construction is considerably less than 100 linear feet. Clearly, this is a situation in which “site specific constraints” pursuant to Policy 4.2.2-3 are applicable, as the existing condition is non-compliant.

In consideration of Policy 4.2.2-3, this Project has been re-designed (see PROJECT DESIGN FEATURE) to its smallest possible impact by eliminating the

sidewalk so that post construction noise is located as far away as possible from the biological resources and by installing a retaining wall to keep Project construction as far as possible from the biological resources. The type and intensity of the vehicular traffic will remain the same, with the exception that proposed location for the additional lane of traffic will be marginally closer to the CCC-defined wetland and ESHA (i.e. no more than 42 inches closer). That is, the curb of the traffic lane will reduce the buffer area by 3.5 feet, compared with the current location of the existing sidewalk. With the elimination of the sidewalk, disturbance by pedestrians is removed; however, the expected increase in traffic noise was analyzed to assess whether the narrower buffer will adversely affect nesting birds and other wildlife within the CCC-defined wetland and ESHA. The noise associated with vehicles is expected to increase by about 2 dBA.² Given that the existing noise levels in the CCC-defined wetland and ESHA along Jamboree Road³ are between about 60 and 70 dBA CNEL,⁴ the increase is not likely to be perceptible, and would not be considered an adverse effect on the wildlife within the CCC-defined wetland and ESHA. In addition, MM6 requires enhancing the buffer area with the planting of native shrubs and trees along the margins of the riparian habitat, which will also act as buffers to further reduce noise and visual impacts.

RECOMMENDED MITIGATION MEASURES

MM BR 1: Pre-Construction Survey for Nesting Birds

Migratory Birds, CDFG Section 3503, Cooper's Hawk, Yellow-breasted Chat, and Least Bell's Vireo

Construction activities (including vegetation clearing) conducted between September 1st and February 14th will normally avoid impacts on state and federally protected migratory birds in their nesting season. Therefore, we recommend that construction activities with potential to directly (e.g., vegetation removal) or indirectly (noise/ground disturbance) be conducted outside of the normal bird nesting season. If construction must be scheduled to occur during nesting season, then vegetation removal conducted between September 1 and February 14 would reduce the impacts on nesting birds. If either vegetation removal or construction cannot occur outside the nesting season, than pre-construction clearance surveys and a nesting deterrence program, as described below, should be implemented to avoid or reduce impacts on nesting birds.

If construction/vegetation removal is scheduled during the nesting season (February 15th to August 31st), for planning purposes, a nesting bird deterrence

² The sound level increase would be 10 times the logarithm of the ratio of the old to the new distance, where the ratio is raised to a power that depends upon the nature of the intervening ground. For noise transmission across soft ground from road traffic, this power is 1.5. Therefore, the noise increase is $10\log(13/9.5)^{1.5} = 2.0$ dBA.

³ City of Newport Beach, "Existing Noise Conditions," *General Plan*, Figure N2 (April 20, 2006).

⁴ CNEL = Community noise equivalent level, which is a 24-hour average with higher weighting for evening and nighttime exposures.

and removal program several months prior to the start of construction and vegetation removal activities will avoid or reduce potential impacts on nesting birds. The biological surveys would identify on-site bird species and any nest-building activities well in advance of construction. The clearance work would be conducted within the months prior to construction/vegetation removal, and accordingly, eliminate the ability for birds to be nesting within the Project's limits during construction. Such deterrence methods include removal of previous year's nesting materials and removal of partially completed nests in progress. A nest with eggs or hatched young cannot be removed.

If no nesting birds are found within, or adjacent to the project work area during the pre-construction survey period, construction activities may proceed as scheduled. However, due to the presence of suitable nesting habitat on the project site and the migratory nature of many bird species in Orange County, MBTA- and CFGC-protected nesting birds are expected on the project site.

If an active nest is found within or adjacent to the project work area during construction, a "No Construction" Buffer Zone would be established to minimize project impacts on the nesting activity. The onsite Project Biologist/Biological Monitor will determine and flag the appropriate buffer size required, based on the specific situation, tolerances of the species, and the nest locations. Project activities may resume in the buffer area when the Project Biologist/Biological Monitor has determined the nest(s) is no longer active. Also, a Biological Monitor should be present during vegetation removal in the nesting season to minimize impacts on nesting birds.

Because some bird species nest early in Spring and others nest later in Summer, surveys for nesting birds should continue during construction to address new arrivals, and because some species breed multiple times in a season. If listed Endangered or Threatened species are found within 500 feet of the Project Work Area, the USFWS and CDFG, as appropriate, will be consulted at the time they are first observed.

MM BR 2: Pre-Construction and Construction Clearance Surveys

Unanticipated Sensitive Wildlife Species

Pre-Construction: As vegetation removal and construction activities (e.g. surface grading/vibration/noise) will occur upslope of the riparian vegetation, a Project Biologist/Biological Monitor shall conduct pre-construction surveys within and adjacent to the Projects limits of construction three days before the commencement of construction activities (including the installation of any fencing and vegetation removal) to address potential effects on sensitive species, if present, in advance of construction. This includes inspections for sensitive terrestrial species, sensitive roosting bats, and sensitive nesting birds. Sensitive species observed should be flushed (with the exception of actively nesting birds) from the construction area away from Jamboree Road and MacArthur Boulevard into the riparian habitat down slope and on the construction free side of the chain

link fence (see MM BR 5). Any Federal or State Threatened or Endangered species if observed shall be reported to the USFWS (Federal) and CDFG (State), as appropriate.

During Construction: The Project Biologist/Biological Monitor shall monitor and inspect the installation of exclusion fencing (see MM BR.5), vegetation removal (i.e., Quail Brush Scrub), and surface grading activities that occur within close proximity to the riparian habitat. Following initial vegetation removal of non-riparian vegetation and surface grading, weekly monitoring shall occur throughout construction to help the construction crew to avoid or reduce impacts on sensitive biological resources, if encountered and to maintain the fencing in good conditions. The fencing should be routinely inspected and terrestrial species (e.g., herpetological species) shall be relocated back into the ESHA habitat when discovered.

MM BR 3: Avoidance and Minimization Measures for Least Bell's Vireo

Least Bell's Vireo

If possible, construction activities with the potential to directly (e.g. vegetation removal) or indirectly (e.g. noise/ground disturbance) affect nesting birds shall be scheduled between September 1st and February 14th. If construction is scheduled to occur from February 15th through August 31st (spring/summer), focused surveys for Least Bell's Vireo (LBV) should be completed to determine the presence/absence of LBV wherever suitable habitat is present within 500 feet of the limits of construction. Surveys will be conducted by a LBV permitted biologist according to the following USFWS guidelines:

- For LBV, all riparian areas and other potential habitats will be surveyed at least 8 times during the period of April 10 to July 31. Each survey will be conducted at least 10 days apart.
- However, the USFWS may agree to a reduced effort if the permitted Project Biologist and USFWS conclude that 8 surveys are unnecessary. This will be determined following initial site visits.
- A Presence/Absence LBV Report shall be prepared detailing the results of the field surveys, and include potential mitigation measures, if any, for the Project site.

MM BR 4: Pre-construction Surveys for Roosting Bats

Although no evidence (sign) indicating the potential presence of sensitive bat species was observed, recent occurrences of sensitive bats have been reported in the region and suitable habitat is present within and adjacent to the Project site. Therefore, pre-construction surveys conducted by a qualified biologist are recommended to determine if sensitive bat species are present, particularly prior to tree removal and ground disturbance activities.

If evidence of a bat hibernaculum (i.e., overwintering roost) or nursery sites are established by bats in the Project's limits of construction, the biological monitor will recommend exclusionary devices or removal efforts, if possible, as necessary based on specific species and situational criteria. For example, if sensitive bats are observed roosting within the drainage culvert beneath Jamboree Rd, exclusionary devices may be installed at the tunnel opening to avoid indirect effects that may occur as a result of ground disturbance occurring just upslope of the tunnel. Exclusionary devices shall not be installed at the entrance to nursery sites as juveniles may not fly out. Nursery sites could be expected during spring. Disturbances to sensitive bat nursery sites or winter roost shall be avoided.

Due to local and California Health Department restrictions, no direct contact by workers with any bat species is allowed. The Project Biologist/Biological Monitor shall be contacted immediately should any bats be identified within the Project's limits of construction, who will oversee exclusion or removal efforts, as necessary. If construction is to occur in phases or over an extended period of time, multiple pre-construction surveys may be required to address seasonal bat migrants and the potential influx of new arrivals.

MM BR 5: Construction Avoidance and Exclusion Measures

USACE, CCC, and CDFG Jurisdiction and Sensitive Wildlife

Jurisdictional (USACE, CCC, and CDFG) Avoidance Measures: The installation of a chain-linked fence prior to construction and located up slope of the limit of CDFG jurisdiction and CCC-defined wetland and ESHA is recommended as an avoidance measure. This chain-linked fence would function to prevent construction personnel and equipment from inadvertently affecting USACE and CDFG jurisdiction and a CCC-defined wetland and ESHA. In addition, this fence would also prevent cobbles, dirt, and other debris from rolling down the slope from the construction site and into USACE and CDFG jurisdiction and the CCC-defined wetland and ESHA. This fence would not have to be any higher than 6 feet above ground level. However, the fence would need to be installed approximately 2 feet deep so that it can maintain its integrity if large amounts of cobbles and dirt were piled up against it. In addition, this chain-link fence should also act as an exclusion fence to reduce the likelihood of sensitive wildlife (e.g., Two-striped Garter Snake) from entering the construction area. This would be accomplished by placing a fine vinyl mesh or silt fencing at the bottom of the chain-link fence. One end of the exclusion fence would be buried into the ground and the other end would be at least foot in height.

It is important to note that if these USACE, CCC, and CDFG resources cannot be avoided by the Project, then a formal jurisdictional delineation and report will be required. A jurisdictional delineation and report would determine if each aquatic feature is subject to USACE jurisdiction pursuant to Sections 404 and 401 of the Clean Water Act; subject to CDFG jurisdiction pursuant to Section 1600 et seq. of the California Fish and Game Code. For those drainages that are jurisdictional, the jurisdictional delineation and report would characterize and

quantify the amount and type of jurisdiction within the BSA and determine how much jurisdiction, and of what types, would be affected by the proposed Project. Subsequently, Section 404 and 401 permits pursuant to the Clean Water Act would need to be acquired from the USACE and CDFG, respectively. In addition, a Streambed Alteration Agreement from the CDFG, pursuant to Section 1600 et seq. of the California Fish and Game Code would also be required. A mitigation plan for these impacts would also likely be required by the resource agencies.

MM BR 6: Post-Construction Avoidance and Exclusion Measures

USACE, CCC, and CDFG Jurisdiction and Wildlife

Native shrubs and trees planted along the margins of the riparian habitat and the Projects limits of construction will act as buffers to further reduce visual impacts. Project landscaping plans should, at a minimum, require drought resistant and non-invasive plant species. No plant listed by the California Invasive Plant Council (Cal-IPC, 2006) shall be planted, particularly along the margins of the riparian habitat. Example of non-native invasive species that should not be included in Project Landscaping plans include Pampas Grass (*Cortaderia* spp), Fountain Grass (*Pennisetum* spp.), and Mexican Fan Palm (Washingtonian robusta). Recommended native tree and shrub species to be installed, particularly along the margins of the Riparian habitat, include Fremont's Cottonwoods (*Populous Fremontii*), Western Sycamores (*Platanus racemosa*), White Alder (*Alnus rhombifolia*) Lemonade Berry (*Rhus integrifolia*), Laurel Sumac (*Malosma laurina*), and Coyote Brush (*Baccharis pilularis*). When planted along the margins of the Project limits of construction and the riparian habitat, these native shrubs and trees will acts as buffers to further reduce noise and visual impacts. Additionally, as these species are native, they will likely require limited supplemental watering after establishment.

PROJECT DESIGN FEATURE

Avoidance via Project Re-design

Plants, Wildlife, and Jurisdictional Areas

Previous construction designs would have resulted in direct impacts to surface aquatic features and the Arroyo Willow riparian habitat, including USACE and CDFG jurisdiction and CCC-defined wetland and ESHA. However, the limits of USACE and CDFG jurisdiction, and the CCC-defined ESHA and wetland, as determined herein, resulted in the redesign of the Jamboree Road Widening Project in an effort to avoid impacts to surface aquatic features (including USACE and CDFG Jurisdictions). Consequently, the proposed Project presented herein represents the end result of an aggressive avoidance policy that resulted in the installation of an expensive retaining wall for the purpose of habitat avoidance. Avoidance is a mitigation measure that is favored by many federal agencies, and thus, this is a mitigation measure that has already been accomplished.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Less Than Significant With Mitigation Incorporated. An Environmental Sensitive Habitat Area (ESHA) as defined by the City of Newport Beach Local Coastal Program Coastal Land Use Plan is immediately adjacent to the project site.

Policy 4.2.2-3 of the Local Coastal Program of the City of Newport Beach states that buffer areas around wetlands are required to ensure their biological integrity and preservation. Buffer widths are to have a minimum of 100 feet, wherever possible. However, Policy 4.2.2-3 also allows smaller wetland buffers, if a narrower buffer would be amply protective of the biological integrity of the wetland given the site-specific characteristics of the resource and the type and intensity of disturbance. In the case of the Jamboree Road Widening Project, the current buffer between the edge of the sidewalk and the CCC-defined wetland and ESHA is currently at 13 linear feet or greater. Therefore, the 100 foot buffer is not possible because the existing situation prior to Project construction is considerably less than 100 linear feet. Clearly, this is a situation in which “site specific constraints” pursuant to Policy 4.2.2-3 are applicable, as the existing condition is non-compliant.

In consideration of Policy 4.2.2-3, this Project has been re-designed (see PROJECT DESIGN FEATURE) to its smallest possible impact by eliminating the sidewalk so that post construction noise is located as far away as possible from the biological resources and by installing a retaining wall to keep Project construction as far as possible from the biological resources. The type and intensity of the vehicular traffic will remain the same, with the exception that proposed location for the additional lane of traffic will be marginally closer to the CCC-defined wetland and ESHA (i.e. no more than 42 inches closer). That is, the curb of the traffic lane will reduce the buffer area by 3.5 feet, compared with the current location of the existing sidewalk. With the elimination of the sidewalk, disturbance by pedestrians is removed; however, the expected increase in traffic noise was analyzed to assess whether the narrower buffer will adversely affect nesting birds and other wildlife within the CCC-defined wetland and ESHA. The noise associated with vehicles is expected to increase by about 2 dBA.⁵ Given that the existing noise levels in the CCC-defined wetland and ESHA along Jamboree Road⁶ are between about 60 and 70 dBA CNEL,⁷ the increase is not

⁵ The sound level increase would be 10 times the logarithm of the ratio of the old to the new distance, where the ratio is raised to a power that depends upon the nature of the intervening ground. For noise transmission across soft ground from road traffic, this power is 1.5. Therefore, the noise increase is $10 \log (13/9.5)^{1.5} = 2.0$ dBA.

⁶ City of Newport Beach, “Existing Noise Conditions,” *General Plan*, Figure N2 (April 20, 2006).

⁷ CNEL = Community noise equivalent level, which is a 24-hour average with higher weighting for evening and nighttime exposures.

likely to be perceptible, and would not be considered an adverse effect on the wildlife within the CCC-defined wetland and ESHA. In addition, MM6 requires enhancing the buffer area with the planting of native shrubs and trees along the margins of the riparian habitat, which will also act as buffers to further reduce noise and visual impacts.

- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Less Than Significant With Mitigation Incorporated. The project site is in close proximity to a riparian habitat containing federally protected wetlands as defined by Section 404 of the Clean Water Act. No wetlands are within the project site and direct affects (e.g. fill) would not occur. With the implementation of MM BR.5, direct impacts to this habitat would not occur or they would be less than significant.

- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impeded the use of native wildlife nursery sites?**

Less Than Significant With Mitigation Incorporated. The project site is not within any known wildlife corridors or stream course and would not have a direct adverse effect on native resident or migratory fish or other sensitive terrestrial wildlife species. However, the project site and adjacent areas contain suitable habitat for native resident and migratory bird species and sensitive bats. With the implementation of MM BR.1 and MM BR.5, direct impacts on nesting birds or sensitive bats would not occur or they will be less than significant.

- e) **Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

Less Than Significant With Mitigation Incorporated: The project does not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy ordinance. The trees located within the project's proposed limits of construction are of non-protected ornamental species such as Eucalyptus, Pine, and Palm Trees. An Environmental Sensitive Habitat Area (ESHA) as defined by the City of Newport Beach Local Coastal Program Coastal Land Use Plan and riparian vegetation as defined by the California Department of Fish and Game is located immediately adjacent to the southeast side of Jamboree Road south of MacArthur Boulevard.

This ESHA and riparian vegetation provides suitable habitat for numerous sensitive wildlife species that could be affected directly (vegetation removal within the ESHA or riparian vegetation) and indirectly (noise and visual disturbances) by the construction activities. These species include all bird

species covered by the Migratory Bird Treaty Act (MBTA), State species of special concern, State and federally listed endangered species, and sensitive bat species. With the implementation of mitigation measures MM BR.1 through MM BR.6, direct and indirect impacts to this habitat and associated sensitive species would not occur or they would be less than significant.

The U.S Army Corps of Engineers (USACE), California Coastal Commission (CCC), and the California Department of Fish and Game (CDFG) have jurisdiction over certain streams, open water, riparian habitat, and wetlands such as those resources located within the Biological Study Area (BSA). Alteration, such as filling, of these jurisdictional areas requires permits from the USACE, Regional Water Quality Control Board (RWQCB), and CDFG. As the project is currently designed, the limits of construction is located outside of USACE, RWQCB, and CDFG jurisdictions. However, if inadvertent impacts occur to these jurisdictional areas then an after-the-fact permitting situation would be triggered. Inadvertent impacts could occur by construction equipment extending beyond the limits of the proposed Project. Alternatively, dirt and cobbles could roll down the steep slope located on the south side of Jamboree Road and into the USACE, RWQCB, and CDFG jurisdictions. With the implementation of mitigation measures MM BR 1 through MM BR 6, these impacts would be less than significant.

Policy 4.2.2-3 of the Local Coastal Program of the City of Newport Beach states that buffer areas around wetlands are required to ensure their biological integrity and preservation. Buffer widths are to have a minimum of 100 feet, wherever possible. However, Policy 4.2.2-3 also allows smaller wetland buffers, if a narrower buffer would be amply protective of the biological integrity of the wetland given the site-specific characteristics of the resource and the type and intensity of disturbance. In the case of the Jamboree Road Widening Project, the current buffer between the edge of the sidewalk and the CCC-defined wetland and ESHA is currently at 13 linear feet or greater. Therefore, the 100 foot buffer is not possible because the existing situation prior to Project construction is considerably less than 100 linear feet. Clearly, this is a situation in which “site specific constraints” pursuant to Policy 4.2.2-3 are applicable, as the existing condition is non-compliant.

In consideration of Policy 4.2.2-3, this Project has been re-designed (see PROJECT DESIGN FEATURE) to its smallest possible impact by eliminating the sidewalk so that post construction noise is located as far away as possible from the biological resources and by installing a retaining wall to keep Project construction as far as possible from the biological resources. The type and intensity of the vehicular traffic will remain the same, with the exception that proposed location for the additional lane of traffic will be marginally closer to the CCC-defined wetland and ESHA (i.e. no more than 42 inches closer). That is, the curb of the traffic lane will reduce the buffer area by 3.5 feet, compared with the current location of the existing sidewalk. With the elimination of the sidewalk, disturbance by pedestrians is removed; however, the expected increase in traffic noise was analyzed to assess whether the narrower buffer will adversely affect

nesting birds and other wildlife within the CCC-defined wetland and ESHA. The noise associated with vehicles is expected to increase by about 2 dBA.⁸ Given that the existing noise levels in the CCC-defined wetland and ESHA along Jamboree Road⁹ are between about 60 and 70 dBA CNEL,¹⁰ the increase is not likely to be perceptible, and would not be considered an adverse effect on the wildlife within the CCC-defined wetland and ESHA. In addition, MM6 requires enhancing the buffer area with the planting of native shrubs and trees along the margins of the riparian habitat, which will also act as buffers to further reduce noise and visual impacts.

f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

No Impact: The project site is not located within and does not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, no impact would occur.

3.5 Cultural Resources

Would the project:

a) **Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**

No Impact. Section 10564.5 defines historic resources as resources listed or determined to be eligible for listing by the State Historical Resources Commission, a local register of historical resources, or the lead agency. Generally a resource is considered to be “historically significant,” if it meets one of the following criteria:

- i) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- ii) Is associated with the lives of persons important in our past;
- iii) Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- iv) Has yielded, or may be likely to yield, information important in prehistory or history.

⁸ The sound level increase would be 10 times the logarithm of the ratio of the old to the new distance, where the ratio is raised to a power that depends upon the nature of the intervening ground. For noise transmission across soft ground from road traffic, this power is 1.5. Therefore, the noise increase is $10\log(13/9.5)^{1.5} = 2.0$ dBA.

⁹ City of Newport Beach, “Existing Noise Conditions,” *General Plan*, Figure N2 (April 20, 2006).

¹⁰ CNEL = Community noise equivalent level, which is a 24-hour average with higher weighting for evening and nighttime exposures.

Neither the project site nor the surrounding properties are identified as historic resources in either of the cities' General Plans; they have not been identified to be eligible for listing by the State Historical Resources Commission, nor have they been identified as eligible for listing on the National Register of Historic Places.

- b) **Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

or

- c) **Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Less Than Significant With Mitigation Incorporated. The length of the proposed improvements along Jamboree Road is approximately 1,400 feet (0.3 miles). Exploratory borings conducted as part of the Geotechnical Evaluation for this project¹¹ indicate that the depth of fill materials varies throughout the project area. Four borings were taken, all on the eastern side of Jamboree Road, two south and two north of MacArthur Boulevard. The areas north of MacArthur Boulevard had relatively shallow depths of fill materials, varying from 3.5 to 5 feet. The southernmost boring was taken just north of the SR-73 northbound on-ramp; the depth of the fill was 3 feet. The boring taken closest to the new retaining wall southeast of the intersection of Jamboree Road and MacArthur Boulevard had a fill depth of 15 feet. Review of the as-built plans shows that improvements along the roadway would be in the existing fill area; however, other parts of the project (the retaining wall and storm drain improvements) deviate from the roads and may extend below the existing fill.

No archaeological or paleontological resources have been identified by past projects along this stretch of roadway or are known to exist in the immediate project area. However, there is the potential that undiscovered archaeological or paleontological resources may be unearthed during excavation and grading at the project site. With the implementation of the recommended mitigation measure, impacts on archaeological and paleontological resources would be less than significant.

MM CR 1: Prior to issuance of a grading permit a qualified archaeologist (with training in the recognition of paleontological resources, or a separate paleontologist) shall be retained to observe grading activities and conduct salvage excavation of archeological resources as necessary. The archaeologist shall be present at the pre-grading conference, shall establish procedures for archaeological resources surveillance, and shall establish, in cooperation with both cities, procedures for temporarily halting or redirecting work to permit the sampling, identification and evaluation of the artifacts as appropriate. If archaeological and/or paleontological features are discovered, the archaeologist

¹¹ Ninyo & Moore, 2010, Geotechnical Evaluation, Jamboree Road Widening Project, Irvine and Newport Beach, California, April 23 (Revised).

shall report such findings to the Planning Department of the appropriate city, or both cities if deemed necessary. If the archaeological resources are found to be significant, the archaeological observer shall determine appropriate actions, in cooperation with the City(s), for exploration and/or salvage. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the Planning Director(s).

d) **Disturb any human remains, including those interred outside of formal cemeteries?**

Less than Significant Impact with Mitigation. No human remains are known to exist on the project site, and the site is not identified as a former cemetery. The project site and its surrounding area are highly disturbed and the possibility of discovering human remains is unlikely. However, the lack of past evidence of a Native American burial ground or human remains at the project site does not guarantee the absence of subsurface remains. Therefore, if there is an unexpected discovery of human remains, then the City(s) shall follow guidelines addressed in the Health and Safety Code section that are summarized in MM CR.2.

In accordance with State law, if remains are discovered (to be determined by the County Coroner and a qualified archaeologist), no work will be permitted until the remains are removed from the site. Once the remains are removed, construction activities may resume. If the remains are non-Native American and of no forensic significance, the City(s) will make the proper arrangements with a qualified archaeologist to remove the remains and have them reburied in accordance with current Health and Safety guidelines. If the remains are recent, the Coroner will handle all necessary removal and reburial activities.

MM CR 2: In accordance with the Public Resources Code §5097.94, if human remains are found, the Orange County Coroner must be notified within 24 hours of the discovery. If the Coroner determines that the remains are not recent, the Coroner will notify the Native American Heritage Commission in Sacramento to determine the most likely descendent for the area. The designated Native American representative then determines in consultation with the City of Newport Beach the disposition of the human remains.

3.6 Geology & Soils

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
 - i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
 - ii) Strong seismic ground shaking?
 - iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

Less Than Significant Impact: The project site is located in tectonically active southern California. Since the site is located in a seismically active region, numerous faults capable of generating moderate to large earthquakes lie within 100 kilometers of the site:

Fault	Approximate Fault to Site Distance in miles (km)	Maximum Moment Magnitude (Mmax)
San Joaquin Hills Blind Thrust	<0.1 (<0.1)	6.6
Newport-Inglewood (Los Angeles Basin)	5.0 (8.1)	7.1
Newport-Inglewood (Offshore)	5.5 (8.8)	7.1
Palos Verdes	16.7 (26.9)	7.3
Whittier	17.5 (28.2)	6.8
Chino Central Avenue (Elsinore)	16.3 (26.2)	6.7
Puente Hills Blind Thrust	18.6 (30.0)	7.1
Elsinore (Glen Ivy)	18.8 (30.2)	6.8
San Jose	26.4 (42.5)	6.4
Coronado Bank	27.2(43.7)	7.6
Elsinore (Temecula)	29.6 (47.7)	6.8
Upper Elysian Park Blind Thrust	31.5 (50.7)	6.4
Sierra Madre	32.9 (52.9)	7.2
Cucamonga	33.2 (53.5)	6.9
San Andreas	48.2 (77.5)	8.0

Source: Ninyo & Moore, 2010, Geotechnical Evaluation, Jamboree Road Widening Project, Irvine and Newport Beach, California, April 23 (Revised).

Known regional active faults that could produce significant ground shaking at the site include the Newport-Inglewood (Offshore and Los Angeles Basin segments), Palos Verdes, and Chino-Central Avenue (Elsinore segment) among others. The Whittier fault zone, the San Joaquin Hills fault zone, and the Elysian Park fault zone also carry the potential to cause earthquakes that would cause ground shaking in the cities of Newport Beach and Irvine. The potential for damage resulting from seismic-related events exists within both cities as it does throughout Southern California. Seismic hazards include ground shaking, ground failure, ground displacement, tsunamis and seiches.

The project site is not within an Alquist-Priolo Earthquake Fault Zone as illustrated on the maps issued by the State Geologist for the area. The project site, like much of southern California, would be subject to ground shaking in the event of an earthquake. The proposed project would comply with all applicable City development standards for construction in a seismically active region. In addition, the Geological Evaluation prepared for this project identifies recommendations for the design and construction of the proposed retaining walls and pavement. Therefore, project impact in relation to the risk of loss, injury or death due to seismic ground shaking would be less than significant.

The City of Newport Beach Seismic Hazards Map (Figure S2, General Plan) shows that the project site is immediately adjacent to an area with a potential for liquefaction. The liquefaction area is within the drainage area that abuts the southeast side of the project site south of MacArthur Boulevard. This map does not indicate that there is a potential for landslides in the project area.

The City of Irvine's Seismic Response Map (Figure D-3, General Plan) shows the project site to be within a Seismic Response Area (SRA-5), which is an area of less stable geologic formations. This designation indicates that the area has existing mapped landslides. The portion of the site within the City of Irvine is flat ground and would not be subject to ground failure or ground displacement.

The project site is more than 4 miles from the Pacific Ocean and tsunamis would not affect the project site. The Upper Newport Bay is approximately ½ mile south of the project site and it could be subject to a seiche event during an earthquake. There is no recorded evidence that earthquakes in the project area have resulted in seiches that have caused any damage to surrounding property.

The proposed project would comply with all applicable City development standards for construction in a seismically active region. In addition, the Geological Evaluation prepared for this project identifies recommendations for the design and construction of the proposed retaining walls and pavement. Therefore, project impact in relation to the risk of loss, injury or death due to seismic events would be less than significant.

b) **Result in substantial soil erosion or the loss of topsoil?**

Less Than Significant Impact with Mitigation Incorporated. The proposed project would make improvements to Jamboree Road between North Bristol Street and Centerpointe. Construction of the proposed project would disturb soil during excavation and grading of the project site. Best Management Practices (BMPs) would be implemented consistent with the National Pollutant Discharge Elimination System (NPDES) permit to reduce the impact of soil erosion on stormwater discharge. As such, project construction impacts associated with soil erosion or the loss of topsoil would be less than significant with the incorporation of the following mitigation measures:

MM G&S 1: Following grading activities, disturbed areas adjacent to the project components shall be replaced and reseeded (where appropriate) to reduce potential for erosion.

MM G&S 2: An Erosion Control Plan (ECP) shall be prepared to the satisfaction of the City of Newport Beach and City of Irvine prior to start of construction. The ECP shall outline methods that shall be implemented to control erosion from graded or cleared portions of the site, including but not limited to:

- i. Placing sandbags where appropriate along the perimeter of a project site prior to initial grading if grading is to be undertaken during the rainy season (October 15 to March 15).

- ii. Minimizing the length of time that soil lie exposed.
- iii. Revegetating (landscaping, hydro-seeding or any other method of providing vegetative cover) graded areas and/or use of chemical soil binders, in a manner approved by the City Inspector prior to work beginning. if determined to be required for erosion control in areas not planted for development until subsequent phases. Landscaping and hydro-seeding shall be under the direction of a licensed landscape architect and approved by the City.

c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

Less Than Significant Impact. The City of Newport Beach Seismic Hazards Map (Figure S2, General Plan) shows that the project site is immediately adjacent to an area with a potential for liquefaction. The liquefaction area is within the drainage area that abuts the southeast side of the project site south of MacArthur Boulevard. This map does not indicate that there is a potential for landslides in the project area.

The City of Irvine's Seismic Response Map (Figure D-3, General Plan) shows the project site to be within a Seismic Response Area (SRA-5), which is an area of less stable geologic formations. This designation indicates that the area has existing mapped landslides. The portion of the site within the City of Irvine is flat ground and would not be subject to ground failure or ground displacement. Therefore, the proposed project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project.

The proposed project would comply with all applicable development standards. Therefore, project impact would be less than significant.

d) **Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

Less Than Significant Impact. Expansive soil, with respect to engineering properties, refers to those soils that, upon wetting and drying, will alternately expand and contract, causing problems for foundations and roads. Fine-grained soils, such as silts and clays, may contain variable amounts of expansive clay minerals. The project area is underlain by Cenozoic marine terrace deposits and young alluvial fan sediments that are composed primarily of granular soils (silty sand, sand, and gravel). Such units are typically in the low to moderately low range for expansion potential. Even the slight potential for the existence of expansive soils within the project area raises the possibility that foundation stability for roads and utilities could be compromised. Both cities' Building Codes require a site-specific foundation investigation and report for each construction site that identifies potentially unsuitable soil conditions and contains appropriate recommendations for design criteria that conform to the analysis and

implementation criteria. The proposed project would comply with all applicable development standards. Therefore, project impact would be less than significant.

- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

No Impact. The proposed project does not include the use of septic tanks or alternative wastewater disposal systems. Therefore, no project impact in relation to a soil's capability to support septic tanks or alternative wastewater disposal systems would result.

3.7 Greenhouse Gas Emissions

Discussion:

California has been in the forefront in developing legislation and regulations aimed at reducing GHG emissions. The following is a brief summary of the developments over the past few years.

Executive Order S-3-05 (GHG Emissions Reductions)

Executive Order #S-3-05, signed by Governor Arnold Schwarzenegger on June 1, 2005, calls for a reduction in GHG emissions to 1990 levels by 2020 and for an 80% reduction in GHG emissions to below 1990 levels by 2050.

The California Climate Solutions Act of 2006 (AB 32)

In September 2006, Governor Arnold Schwarzenegger signed AB 32, the California Climate Solutions Act of 2006 (Health and Safety Code § 38500 et seq.), into law. AB 32 was intended to effectively end the scientific debate in California over the existence and consequences of global warming. In general, AB 32 directs CARB to do the following:

- On or before June 30, 2007, publicly make available a list of discrete early action GHG emission reduction measures that can be implemented prior to the adoption of the statewide GHG limit and the measures required to achieve compliance with the statewide limit;
- By January 1, 2008, determine the statewide levels of GHG emissions in 1990, and adopt a statewide GHG emissions limit that is equivalent to the 1990 level (an approximately 25% reduction in existing statewide GHG emissions);
- On or before January 1, 2010, adopt regulations to implement the early action GHG emission reduction measures;
- On or before January 1, 2011, adopt quantifiable, verifiable, and enforceable emission reduction measures by regulation that will achieve the statewide GHG emissions limit by 2020, to become operative on January 1, 2012, at the latest.

The emission reduction measures may include direct emission reduction measures, alternative compliance mechanisms, and potential monetary and non-monetary incentives that reduce GHG emissions from any sources or categories of sources as CARB finds necessary to achieve the statewide GHG emissions limit; and

- Monitor compliance with and enforce any emission reduction measure adopted pursuant to AB 32.

On December 11, 2008, the CARB approved the *Climate Change Scoping Plan* (CARB, 2008a) pursuant to AB 32. The Scoping Plan recommends a wide range of measures for reducing GHG emissions, including (but not limited to):

- Expanding and strengthening of existing energy efficiency programs;
- Achieving a statewide renewables energy mix of 33 percent;
- Developing a GHG emissions cap-and-trade program;
- Establishing targets for transportation-related GHG emissions for regions throughout the State, and pursuing policies and incentives to meet those targets;
- Implementing existing State laws and policies, including California's clean car standards, goods movement measures, and the Low Carbon Fuel Standard; and
- Targeted fees to fund the State's long-term commitment to administering AB 32.

Executive Order S-01-07 (Low Carbon Fuel Standard)

Executive Order #S-01-07 (January 18, 2007) establishes a statewide goal to reduce the carbon intensity of California's transportation fuels by at least 10% by 2020 through establishment of a Low Carbon Fuel Standard. Carbon intensity is the amount of carbon dioxide equivalent (CO₂e) per unit of fuel energy emitted from each stage of producing, transporting, and using the fuel in a motor vehicle. On April 23, 2009, the Air Resources Board adopted a regulation to implement the standard (CARB, 2009).

Senate Bill 97

Senate Bill 97 was signed by the governor on August 24, 2007. The bill required the Office of Planning and Research (OPR), by July 1, 2009, to prepare, develop, and transmit to the resources agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions, as required by CEQA, including, but not limited to, effects associated with transportation or energy consumption. On April 13, 2009, OPR submitted to the Secretary for Natural Resources its proposed amendments to the State CEQA Guidelines for greenhouse gas emissions. The Resources Agency adopted those guidelines on December 30, 2009, and they became effective on March 18, 2010. The amendments treat GHG emissions as a separate category of impacts; i.e. they are not to be addressed as part of an analysis of air quality impacts.

Section 15064.4, which was added to the CEQA Guidelines, specifies how the significance of impacts from GHGs is to be determined. First, the lead agency should “make a good faith effort” to describe, calculate or estimate the amount of GHG emissions resulting from a project. After that, the lead agency should consider the following factors when assessing the impacts of the GHG emissions on the environment:

- The extent to which the project may increase or reduce GHG emissions, relative to the existing environmental setting;
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project; and
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional or local plan for the reduction or mitigation of GHG emissions.

At this writing, there are no statewide quantitative thresholds of significance for GHG emissions. The Governor’s Office of Planning and Research (OPR) has asked the CARB to make recommendations for GHG-related thresholds of significance. On October 24, 2008, the CARB issued a preliminary draft staff proposal for *Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act* (CARB, 2008b). After holding two public workshops and receiving comments on the proposal, CARB staff decided not to proceed with threshold development.¹² Quantitative significance thresholds, if any are to be set by local agencies.

Until more guidance is provided from CARB and/or SCAQMD, the City of Newport Beach intends to consider emissions of 1,600 metric tons of CO₂e or less per year and per project to be a less-than-significant contribution to GHGs, thereby not requiring further analysis. For projects exceeding the screening threshold of 1,600 metric tons of CO₂e emissions per year, the City will consider projects to have significant impacts if they (1) are not substantially consistent with policies and standards set out in federal, state and local plans designed to reduce GHGs, or (2) would emit more than 6,000 metric tons of CO₂e per year. Projects that do not meet these thresholds would be considered to have significant impacts, and thus could be expected to impede the State’s mandatory requirement under AB 32 to reduce statewide GHG emissions to 1990 levels by 2020.

Would the project:

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Less Than Significant Impact. According to the URBEMIS 2007 modeling that was performed for the air quality analysis, the project will generate approximately

¹² Personal communication from Douglas Ito, California Air Resources Board, Sacramento, California, to Michael Rogozen, UltraSystems Environmental Incorporated, Irvine, California. March 29, 2010.

5,470 pounds per day (2.5 metric tons per day) of carbon dioxide (CO₂)¹³ during construction. The contribution of the project to annual CO₂ emissions during the year of construction would depend upon the duration of construction activities. Assuming 260 construction days per year, annual CO₂ emissions would be 645 metric tons per year. This value is below the screening level of 1,600 metric tons.

Project operations would result in no net change in GHG emissions, as traffic volumes are not projected to increase or decrease.¹⁴ Therefore, the project's impact on climate change is less than significant.

b) **Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Less Than Significant Impact. In 2020, the target year for reduction of GHG emissions to 1990 levels, motor vehicle traffic through the project area will be the same as contemplated in the circulation elements of the cities' general plans. The project itself will not result in an increase in the traffic. In the AB 32 Scoping Plan, CARB has prescribed several measures that, in combination, will reduce CO₂e emissions from on-road motor vehicles by about 29.8 percent. Reaching the target of Executive Order #S-3-05 would require a reduction of 28.5 percent of CO₂e emissions statewide. Emissions from the project would therefore not conflict with AB 32 and its implementing measures. Therefore, a less than significant impact would occur.

3.8 Hazards & Hazardous Materials

Would the project:

a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**

Less Than Significant Impact. The proposed project would make improvements to the roadway along Jamboree Road between North Bristol Street and Centerpointe. Construction activities at the project site would be short-term and would involve limited transport, storage, use and disposal of hazardous materials associated with construction. Fueling and servicing of construction equipment would not take place on-site. Materials used in the construction of the project are not acutely hazardous, and all storage, handling, and disposal of these materials are regulated by the Department of Toxic Substances Control (DTSC), the United States Environmental Protection Agency (USEPA), and the Occupational Safety and Health Administration (OSHA). Adherence by the construction contractor to these organizations' regulations

¹³ Emissions of other GHGs, such as methane and nitrous oxide, would be at least an order of magnitude lower, so CO₂ emissions are reported here as representative of CO₂ equivalent emissions.

¹⁴ After implementation of future fuel efficiency standards and low-carbon fuel standards, future CO₂e emissions from onroad motor vehicle traffic are expected to decrease, even if traffic volumes remain the same.

would reduce hazards from routine transport, use, or disposal of hazardous materials from construction to a less than significant level. Operation of the proposed project would not involve the use of any type of hazardous substance. Therefore, overall project impact in relation to the routine transport, use, or disposal of hazardous materials would be less than significant.

- b) **Create a significant hazard to the public or the environment through the reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?**

Less Than Significant Impact. The proposed project would make improvements to the roadway along Jamboree Road between North Bristol Street and Centerpointe. Construction of the proposed project would involve the use of potentially hazardous materials, including vehicle fuels, oils, and transmission fluids. However, all hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Also, none of these materials is considered to be acutely hazardous. Operation of the proposed project would not require the use of hazardous materials. Therefore, project impacts in relation to upset and accident conditions involving the release of hazardous materials into the environment would be less than significant.

- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

Less Than Significant Impact. The closest school in Newport Beach is Liberty Baptist High School, located approximately 1.1 miles to the south of the project site, and the closest school in Irvine is the University of California Irvine, which is located approximately 0.75 mile to the east. Construction activities would be short-term and would involve limited transport, storage, use and disposal of hazardous materials associated with construction. Fueling and servicing of construction equipment would not take place on-site. Materials used in the construction of the project are not acutely hazardous, and all storage, handling, and disposal of these materials are regulated by the DTSC, the USEPA, and OSHA. Adherence by the construction contractor to the regulations administered by these organizations would reduce hazardous emissions impacts from construction to less than significant levels.

- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

No Impact. The DTSC's EnviroStor Database indicated that there are no hazardous waste sites or clean-up sites on or in immediate proximity to the proposed project area.¹⁵ Therefore, the proposed project would not create a

¹⁵/ California Department of Toxic Substance Control. EnviroStor website. Accessed at <http://www.envirostor.dtsc.ca.gov/public/> on April 27, 2010.

significant hazard to the public or the environment due to being on or in proximity to a hazardous materials site.

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

No Impact. The project site is 0.75 mile southeast of Orange County's John Wayne Airport, a public use airport. The proposed project would make improvements to the roadway along Jamboree Road between North Bristol Street and Centerpointe. As the proposed use would be the same as the existing use, and no significant above ground structures would be associated with the project, the proposed project would have no impact in relation to safety hazards due to public airport activities.

- f) **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

No Impact. The project site is not within two miles of a private airstrip. The proposed project would make improvements to the roadway along Jamboree Road between North Bristol Street and Centerpointe. As the proposed use would be the same as the existing use, and no significant above ground structures would be associated with the project, the proposed project would have no impact in relation to safety hazards due to private airstrip activities.

- g) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Less Than Significant Impact with Mitigation Incorporated. The proposed project would make improvements to the roadway along Jamboree Road between North Bristol Street and Centerpointe. During the demolition and the construction of the roadway improvements, access through the area and to the surrounding parcels would not be affected. The northbound on-ramp to the SR-73 would remain open during construction and the parcels in Irvine immediately adjacent to the project site are all served from driveways off of Centerpointe. A Traffic Control Plan (TCP) would be implemented to ensure that construction does not interfere with any emergency response or evacuation plans along McArthur Boulevard or Jamboree Road during construction. The following mitigation measure will reduce this potential impact to less than significant levels:

MM HHM 1: Short-term impediments to roadway use shall be mitigated by a Traffic Control Plan (TCP) to be established by the project contractor prior to construction of any improvements. This Plan shall consist of prior notices, adequate sign-posting, detours, phased construction and temporary driveways where necessary. The Plan shall specify implementation timing of each plan element (prior notices, sign-posting, detours, etc.) as determined appropriate by the City Traffic Engineer. Proper detours and warning signs shall be established to ensure public safety. The TCP shall be devised so that construction will not

interfere with emergency response or evacuation plans and condition the project contractor to maintain, at minimum, two-lanes of travel in each direction though the project area during the duration of construction. The TCP shall be prepared consistent with each jurisdictions' approved traffic control guidelines. Construction activities shall proceed in a timely manner to reduce impacts.

- h) **Expose people or structures to the risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

No Impact. The proposed project would make improvements to the roadway along Jamboree Road between North Bristol Street and Centerpointe. The project does not include the construction of any habitable structures. In addition, the project site is not located adjacent to any wildlands. The Newport Beach General Plan Land Use Map designates the areas immediately adjacent to the southeast side of the project site as Open Space, and the land uses in Irvine are designated Urban and Industrial on the City of Irvine's land use map. Therefore, the proposed project would not subject people or structures to a significant risk of loss, injury, or death as a result of exposure to wildland fires.

3.9 Hydrology & Water Quality

Would the project:

- a) **Violate any water quality standards or waste discharge requirements?**

Less Than Significant Impact. The project site is regulated by the Santa Ana Regional Water Quality Control Board (SARWQCB). Construction sites one-acre or larger must apply for coverage under a National Pollution Discharge Elimination System permit. In accordance with existing regulations, the City of Newport Beach would prepare and implement Best Management Practices (BMPs) and a Stormwater Pollution Prevention Plan (SWPPP) for construction and operation of the proposed project. Compliance with requirements set forth by the SARWQCB would reduce construction impacts on water quality to a less than significant level. Because the proposed project would not construct buildings or increase population, operation of the proposed project would not be a new source of wastewater and would not require wastewater treatment. Therefore, project impact on water quality standards or waste discharge requirements would be less than significant.

- b) **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

Less Than Significant Impact. Project operation of the new and improved roadway would not require the use of water supplies. The proposed project

would add some additional impervious surfaces as part of the roadway improvements, but this would not substantially impact groundwater recharge. South of MacArthur, there is no net increase in impervious area, because the additional impervious area created by the widening is offset by the removal of the existing sidewalk. North of MacArthur, the widening increases the impervious area by approximately 0.28 acre. This adds less than 0.5 cubic feet per second of additional runoff, which should be insignificant.

Therefore, the proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level during construction.

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?**

Less Than Significant Impact. The proposed project would not substantially alter the existing drainage pattern of the area due to the small amount of additional runoff. The proposed project would make improvements to the curbs and gutters along Jamboree Road. The slight increase in the amount of impervious surface would not cause an increase in water flow downstream. Erosion during project construction would be minimized by the use of Best Management Practices (BMPs). The drainage course located southeast of Jamboree Road and west of MacArthur Boulevard would not be affected by the proposed project. Therefore, the project would not result in substantial erosion or siltation on- or off-site due to construction or alterations to the existing drainage pattern. The project impact would be less than significant.

- d) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?**

Less Than Significant Impact. The proposed project would make surface improvements to Jamboree Road. The proposed improvements to the curbs and gutters along Jamboree Road would not affect the storm drain system serving the project site. There would be no net change in the probability of flooding on- or off-site. In addition, during operation of the improved roadway there would not be a significant increase in surface runoff compared to existing conditions. Therefore, project impact on flooding due to alteration of the existing drainage pattern would be less than significant.

- e) **Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems to provide substantial additional sources of polluted runoff?**

Less Than Significant Impact. The project would not construct new buildings or increase population; therefore, the project would not create a significant new source of runoff water. Pollution from vehicle fluids would remain similar to existing conditions. Therefore, project impact on runoff water or polluted runoff would be less than significant.

f) **Otherwise substantially degrade water quality?**

Less Than Significant Impact. The proposed project would not essentially change the existing conditions of the project site, and the project would not result in significant changes in the quality of surface water. The proposed project would slightly expand and improve the roadway conditions currently found along Jamboree Road. The project includes uses that are consistent and compatible with the existing land uses and those reflected in both cities' General Plans. With implementation of the project, the types and concentrations of pollutants are anticipated to be similar to those resulting from the same uses that exist on the site at present: silt (during construction), petroleum hydrocarbons from street surface areas, and other pollutants common to urban development. No unusual contamination or pollutant is anticipated as a result of implementing the project. Therefore, project impact on water quality would be less than significant.

g) **Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

No Impact. The proposed project would not construct any houses, and would have no impact within a 100-year floodplain. The closest potential flood area as shown on the City of Newport Beach's Flood Hazards Map (Figure S3, General Plan) is San Diego Creek, which is located approximately 0.40 mile south of the project site. The elevation of San Diego Creek is approximately 10 feet below the elevation of Jamboree Road. Therefore, no impact would occur.

h) **Place within a 100-year floodplain structures that would impede or redirect flood flows?**

No Impact. The proposed project would not construct any houses, and would have no impact within a 100-year floodplain.

i) **Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

No Impact. The proposed project would not construct any structures, and there are no dams or levees in proximity to the project site. Therefore, the proposed project would not expose people or structures to flooding as a result of a failure of a levee or dam.

j) **Inundation by seiche, tsunami, or mudflow?**

No Impact. The project site is more than 4 miles from the Pacific Ocean and tsunamis would not affect it. The Upper Newport Bay is approximately 0.5 mile south of the project site and it could be subject to a seiche event during an earthquake. There is no recorded evidence that earthquakes in the project area have resulted in seiches that have caused any damage to surrounding property. There are no open areas in the project area that could be the source of mudflow that would affect the project site. Therefore, no impact would occur.

3.10 Land Use & Planning

Would the project:

a) **Physically divide an established community?**

No Impact. The proposed project includes the improvement of existing roads, Jamboree Road between North Bristol Street and Centerpointe, and will not generate additional traffic after construction. The improvements along this segment include street widening to accommodate additional lanes at the intersection of Jamboree Road and MacArthur Boulevard, intersection improvements, median improvements, construction of two retaining walls, and parkway improvements. The proposed project would not include new buildings or structures that would physically divide an established community. The project would widen a roadway that is already very wide, and crosswalks will continue to allow pedestrians to safely and easily move across these roads; no new obstacles would be created. Therefore, no impact would occur.

b) **Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

No Impact. The proposed project would construct the roadway improvements within the existing right-of-way of Jamboree Road and within the adjacent curb side area for a depth of approximately 25 feet. The Newport Beach portion of the project site has open space immediately adjacent to the roadway and the Irvine portion of the project site has a landscaped area that abuts the parking lot that services the commercial buildings within the Irvine Business Complex.

The proposed project is consistent with the City of Newport Beach Circulation Element Policies CE2.1.1 and CE2.1.4 as a project designed to improve Level of Service. It is also consistent with the City of Newport Beach Natural Resources Element Policies NR10.4, NR10.6, and NR13.1 as the project has been designed to provide the greatest amount of protection of sensitive or rare resource against any significant disruption of habitat value, provides a buffer around the significant or rare biological resource, and recognizes and protect wetlands.

The proposed project is consistent the City of Newport Beach Coastal Land Use Plan (CLUP) Policies 4.1 1-1, 4.1 1-4, 4.1 1-6, 4.1 1-10, 4.1 1-12, 4.2 2-3 in defining the area of rare or valuable animal or plant life as an environmentally

sensitive habitat area (ESHA) and protecting its value; by developing adjacent property to the ESHA to prevent impacts that would degrade the ESHA; and by maintaining an amply protective buffer around the ESHA and the wetland area.

Pursuant to the City of Irvine Zoning Code, all existing buildings will remain set-back a minimum of 40 feet from the proposed right-of-way.

Therefore, no impact would occur.

c) **Conflict with any applicable habitat conservation plan or natural communities conservation plan?**

No Impact. In Irvine, there is an approximately 0.6 square mile area NCCP Habitat Reserve (see Figure L-3, Implementation Districts, Irvine General Plan) located immediately south of the Irvine Business Complex, east of MacArthur Boulevard, and north of San Diego Creek. The proposed project would not affect this reserve area. In Newport Beach, there is the Upper Newport Bay Nature Preserve (see Figure NR1, Newport Beach General Plan) that borders both the north and south sides of Upper Newport Bay. The proposed project would not affect this preserve area. The proposed project would not conflict with any applicable habitat conservation plan or natural communities conservation plan within either of the cities. Therefore, no impact would occur.

3.11 Mineral Resources

Would the project:

a) **Result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state?**

and

b) **Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

No Impact. Neither the Newport Beach or Irvine General Plans, nor the State of California, Department of Conservation, Geological Survey has identified the project site or environs as having a potential mineral resource of Statewide or regional significance. No mineral resources are known to exist, and therefore, project implementation would not result in any significant impacts.

3.12 Noise

Discussion:

Noise is generally defined as unwanted sound, aspects of which can negatively affect the physiological or psychological well-being of individuals or communities.¹⁶ Sound is mechanical energy transmitted by pressure waves in a compressible medium such as air and is most commonly characterized by pressure level. Noise measurements are weighted more heavily within the frequencies of maximum human sensitivity; these measurements are written as dBA, or A-weighted decibels.

A noise environment consists of a base of steady “background” noise that is the sum of many distant and indistinguishable noise sources. Superimposed on this background noise is the sound from individual local sources. These can vary from an occasional aircraft or train passing by to virtually continuous noise from, for example, traffic on a major highway.

To the human ear, a sound 10 dBA higher than another is judged to be twice as loud; 20 dBA higher is four times as loud; and so forth. In general, a difference of more than 3 dBA is a perceptible change in environmental noise, while a 5-dBA difference typically causes a change in community reaction, and an increase of 10 dBA is perceived by people as doubling of loudness.¹⁷

Noise Scales

Several rating scales have been developed to analyze the adverse effect of community noise on people. Because environmental noise fluctuates over time, these scales account for the dependence of the effect of noise on the total acoustical energy content as well as the duration of occurrence. The noise scales that are typically used are the equivalent noise level (L_{eq}), and the community noise equivalent level (CNEL). L_{eq} is a measurement of the acoustic energy content of noise averaged over a specified time period. Thus, the L_{eq} of a time-varying sound and that of a steady sound are the same if they deliver the same amount of energy to the receptor ear during exposure. CNEL is a 24-hour average L_{eq} that accounts for the sensitivity to noise during evening and nighttime hours. CNEL is calculated by adding 5 dBA to sound levels in the evening (7:00 p.m. to 10:00 p.m.) and adding 10 dBA to sound levels at night (10:00 p.m. to 7:00 a.m.). Another noise metric is the L_{dn} - a 24-hour average L_{eq} that accounts for the sensitivity to noise during nighttime hours. L_{dn} is calculated by adding 10 dBA to sound levels at night (10:00 p.m. to 7:00 a.m.).

Noise Level Standards

The proposed project is located within the Cities of Irvine and Newport Beach. To limit population exposure to physically and/or psychologically damaging as well as intrusive noise levels, both cities have established standards and ordinances to control noise. The proposed project involves widening of Jamboree Road.

¹⁶ City of Newport Beach. *General Plan. Chapter 12, Noise Element.* November, 2006.

¹⁷ U.S. Environmental Protection Agency (USEPA). *Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety.* March 1974.

Noise Ordinances

The City of Newport Beach has ambient noise exposure standards,¹⁸ but construction activity is exempt.¹⁹ In addition, construction noise that “disturbs, or could disturb, a person of normal sensitivity who works or resides in the vicinity” is allowed only between 7 a.m. and 6:30 p.m. on weekdays and between 8 a.m. and 6 p.m. on Saturdays.²⁰

The commercial area southeast of the proposed project and within the City of Irvine falls under the City of Irvine’s Code of Ordinances classification of “noise zone 3.”²¹ In this zone, maximum allowable exterior noise levels are as shown in Table 3.12-1 (Maximum Sound Levels at Exterior of Commercial Land Uses). No activity in Irvine is permitted to cause the maximum sound levels to be exceeded. There is no exemption for construction activity. However, a waiver from the provisions of §6-8-204 may be obtained. Construction activities that generate noise are limited to 7 a. m. to 7 p.m. on weekdays and 9 a.m. to 6 p.m. on Saturdays.²²

**Table 3.12-1
Maximum Sound Levels at Exterior of Commercial Land Uses**

Time Period	Permitted Noise Levels (dBA)
30 minutes	60
15 minutes	65
5 minutes	70
1 minute	75
Anytime	80

Source: City of Irvine Code of Ordinances, Section 6.8-204(B).

Would the project:

- a) **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Less Than Significant Impact. Construction and operation of the proposed project may expose persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance.

Construction (Short-Term Impacts)

Construction of the proposed project may generate short-term and intermittent high noise levels. Construction noise levels would fluctuate depending on construction activity, equipment type and duration of use, and the distance between noise source and receiver. Typical sound emission characteristics of

¹⁸ City of Newport Beach, California Municipal Code, Title 10, Chapter 10.26 – Community Noise Control.

¹⁹ Ibid., §10.26.035(E).

²⁰ City of Newport Beach, California Municipal Code, Title 10, Chapter 10.28 – Loud and Unreasonable Noise, §10.28.040.

²¹ City of Irvine, California Code of Ordinances, Title 6 – Public Works, Division 8 – Pollution, Chapter 2 – Noise, §6-8-204.

²² Ibid., §6-8-205(A).

construction equipment are provided in **Table 3.12-2** (Typical Construction Equipment Noise Levels).

**Table 3.12-2
Typical Construction Equipment Noise Levels**

Equipment Type	Range of Noise Level of Equipment at 50 ft. (in dBA)	Suggested Noise Level for Analysis at 50 ft. (in dBA)
Dozer	77-90	83
Trucks	81-95	88
Backhoe	81-90	83
Concrete Pump	74-84	82
Mobile Crane	80-85	83
Forklift	81-86	84
Paver	82-92	89
Shovel	77-90	82
Pavement Breaker	75-85	82
Pneumatic Tools	78-88	85
Air Compressor	76-89	81
Generator	71-87	80
Pump	68-80	76
Concrete Mixer Truck	69-89	85
Electric Saw	59-80	78

Source:

1. U.S. Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances, December 1971.
2. County of Ventura, Construction Noise Threshold Criteria and Control Measures, May 2002.

Construction noise from the project, which at times would exceed 80 dBA, would fluctuate in intensity and occur intermittently. Since no sensitive land uses²³ are located within 1,500 feet of the construction site, construction of the proposed project would not cause annoyance for any sensitive receptors. Adherence to the City of Newport Beach's noise ordinances regarding construction hours would ensure that noise impacts from the proposed project's construction activities in Newport Beach remain less than significant. In the City of Irvine, construction activities may temporarily result in exceedances of the limits in Table 3.12-1. However, these exceedances would be temporary, and a waiver may be obtained.

Operation (Long-Term Impacts)

Per the City of Newport Beach's modeling methodology, General Plan traffic forecasts were not increased due to the proposed capacity improvements at the intersection. Therefore, the traffic volumes for existing geometrics and proposed geometrics scenarios have remained the same.

²³ In the context of a CEQA noise analysis, "sensitive land uses" and "sensitive receptors" are defined as land uses and activities that are significantly disturbed or disrupted by elevated noise levels. They commonly include residences, schools, hospitals, daycare centers, outdoor amphitheatres, and parks.

For each halving of distance between a roadway noise source and a receptor, the noise level at the receptor increases by about 3 dBA. To the human ear, changes of 1 to 3 dBA are detectable only under quiet, controlled conditions and changes of less than 1 dBA are usually indiscernible. The project would bring the nearest traffic lane about 12 feet closer to the commercial business complex located southeast side of Jamboree Road and southwest of Centerpointe. This shortening of distance is far less than half the original distance of about 122 feet. The increase in noise levels at the business complex would be less than 3 dBA, and therefore would not be perceptible.²⁴ Therefore, no impact would occur.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. Vibration is sound radiated through the ground. The rumbling sound caused by vibration is called groundborne noise. The ground motion caused by vibration is measured as peak particle velocity (PPV) in inches per second and is referenced as vibration decibels (VdB). Typical outdoor sources of perceptible groundborne vibration are construction equipment and traffic on rough roads.

The American National Standards Institute (ANSI) indicates that vibration levels in critical care areas, such as hospital surgical rooms and laboratories, should not exceed 0.2 inch per second of PPV.²⁵ The Federal Transit Administration (FTA) also uses a PPV of 0.2 inch per second as vibration damage threshold for fragile buildings and a PPV of 0.12 inch per second for extremely fragile historic buildings. The FTA criterion for infrequent groundborne vibration events (less than 30 events per day) that may cause annoyance are 80 VdB for residences and buildings where people normally sleep, and 83 VdB for institutional land uses with primarily daytime use.²⁶

Construction (Short-Term Impacts)

It is expected that groundborne vibration from project construction activities would cause only intermittent, localized intrusion. The FTA has published standard vibration level and peak particle velocities for construction equipment operations.²⁷ The calculated root mean square (RMS) velocity level expressed in VdB and PPV for construction equipment at distances of 25, 50, and 100 feet are listed in Table 12.3-3 (Vibration Levels of Construction Equipment).

²⁴ The sound level increase would be $10 \log(122/110) = 0.450$ dBA.

²⁵ American National Standards Institute (ANSI). *Guide to the Evaluation of Human Exposure to Vibration in Buildings*. ANSI S.329-1983. 1983.

²⁶ Federal Transit Administration. *Transit Noise and Vibration Impact Assessment*. May 2006.

²⁷ Ibid.

**Table 3.12-3
Vibration Levels of Construction Equipment**

Equipment	PPV at 25 ft (in/sec)	RMS at 25 ft (VdB)	PPV at 50 ft (in/sec)	RMS at 50 ft (VdB)	PPV at 100 ft (in/sec)	RMS at 100 ft (VdB)
Loaded Truck	0.0760	86	0.0269	77	0.0095	68
Jackhammer	0.0350	79	0.0124	70	0.0044	61
Small Bulldozer	0.0030	58	0.0011	49	0.0004	40

Source: Federal Transit Administration (FTA). 2006. *Transit Noise and Vibration Impact Assessment*. May. Chapter 12.

As shown in **Table 12.3-3**, the vibration level of construction equipment would be below the FTA damage threshold of 0.12 inch per second PPV for fragile historic buildings at a distance of 25 feet from the construction equipment operation. Since no building structures would be located within 25 feet of the construction site, vibration from the project’s construction would not cause any structural damage. Further, since no sensitive receptors are located within 1,500 feet of the project site, construction of the proposed project would not generate groundborne vibrations that would cause human annoyance either. Therefore, the construction impact would be less than significant.

Operation (Long-Term Impacts)

Operation of the proposed project would not introduce new sources of groundborne vibration. Therefore, no impact would occur due to the proposed project’s operation.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. Per the City of Newport Beach's modeling methodology, General Plan traffic forecasts were not increased due to the proposed capacity improvements at the intersection. Therefore, the traffic volumes for existing geometrics and proposed geometrics scenarios have remained the same.

As the proposed project would result in roadway widths and cross-sections compatible with those specified for ultimate buildout in the City of Newport Beach’s *General Plan, Circulation Element*, the project itself does not have the capacity to increase traffic volumes beyond planned conditions. Vehicular noise increases associated with the buildout of the City of Newport Beach’s and the City of Irvine’s circulation systems have been identified and addressed within the general plan EIRs of the two cities, and would not be created by the proposed improvements. Due to the lack of noise-sensitive land uses in the project vicinity and the consistency of the proposed improvements with the cities’ general plan noise elements, project implementation would not create a significant noise impact in the area.

- d) **A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

Less Than Significant Impact. As discussed previously, the proposed project would potentially generate high noise levels during the short-term construction activities. However, with adherence to applicable noise ordinances, and given the absence of sensitive receptors, the impact of temporary increase in ambient noise levels in the vicinity of the proposed project would be less than significant.

- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact. The proposed project is located within the land use plan,²⁸ including the height restriction zone, for John Wayne Airport, which is about 0.88 mile away. A short portion of Jamboree Road within the project area is on the 60-dBA CNEL contour for airport operations.²⁹ People would not reside or work within the project area; therefore no one would be exposed to excessive noise levels, and no impact would occur.

- f) **For a project within the vicinity of a private airstrip would the project expose people residing or working in the project area to excessive noise levels?**

No Impact. The proposed project is not within the vicinity of a private airstrip. Furthermore, people would not reside or work within the project area. Therefore people residing or working in the area would not be exposed to excessive noise levels, and no impact would occur.

3.13 Population & Housing

Would the project:

- a) **Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?**

No Impact. The proposed project would make roadway improvements to Jamboree Road between North Bristol Street and Centerpointe. The project would not include the construction of homes or businesses, extend roads into previously undeveloped areas or areas that are limited in potential for growth due to lack of transportation infrastructure, or otherwise induce population growth. The proposed project is designed to improve the existing flow of traffic that is already anticipated in the General Plan.

²⁸ *Land Use Plan for John Wayne Airport.* Airport Land Use Commission for Orange County. Amended April 17, 2008.

²⁹ Noise contour map from John Wayne Airport web site:
http://www.ocair.com/aboutJWA/NoiseandAccess/AnnualCNELNoiseContours_small.pdf.

Therefore, no impact on population growth would occur.

b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

No Impact. The proposed project would make roadway improvements to Jamboree Road between North Bristol Street and Centerpointe. The project would not displace any housing, as no homes are in the immediate vicinity of the project site. Therefore, the project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

c) **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

No Impact. The proposed project would make roadway improvements to Jamboree Road between North Bristol Street and Centerpointe. The project would not displace any people, as there are no homes in the immediate vicinity of the project site. Therefore, the project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

3.14 Public Services

Would the project:

a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

i) **Fire Protection?**

Less Than Significant Impact with Mitigation. The closest Fire Station to the project site within Newport Beach is on Southeast Bristol Street approximately 0.4 mile north of Jamboree Road. The closest fire station in Irvine is on Gillette Avenue, approximately 2 miles north of the project site.

During construction, fire service to the residential area west of the project site within Newport Beach would not be interrupted. The closest residential uses in Irvine are north of the project site along Jamboree Road, and fire service to the area would not be interrupted by construction of the project. During construction, open traffic lanes would be maintained on Jamboree Road which would provide emergency vehicles with sufficient access to pass through the construction area without interruption. With the implementation of MM HHM 1, a less than significant impact would occur.

MM HHM 1: Short-term impediments to roadway use shall be mitigated by a Traffic Control Plan (TCP) to be established by the project contractor prior to construction of any improvements. This Plan shall consist of prior notices, adequate sign-posting, detours, phased construction and temporary driveways where necessary. The Plan shall specify implementation timing of each plan element (prior notices, sign-posting, detours, etc.) as determined appropriate by the City Traffic Engineer. Proper detours and warning signs shall be established to ensure public safety. The TCP shall be devised so that construction will not interfere with emergency response or evacuation plans and condition the project contractor to maintain, at minimum, two-lanes of travel in each direction though the project area during the duration of construction. The TCP shall be prepared consistent with each jurisdictions' approved traffic control guidelines. Construction activities shall proceed in a timely manner to reduce impacts.

ii) **Police Protection?**

Less Than Significant Impact with Mitigation. The Newport Beach and Irvine Police Departments are responsible for providing police and law enforcement services within the corporate limits of their respective cities. The Newport Beach Police Department headquarters is located at 870 Santa Barbara Drive, at the intersection of Jamboree Road and Santa Barbara, approximately 2.5 miles south of the site. The Irvine Police Department is located at 1 Civic Center Drive, at the intersection with Harvard Avenue, approximately 3 miles north of the site. Police and law enforcement service in both cities are provided by patrols with designated "beats" or service areas. Use of the site will remain similar to current conditions and would not adversely affect the ability of the Police Departments from either city to provide an adequate level of service.

During construction, police service to the residential area west of the project site within Newport Beach would not be interrupted. The closest residential uses in Irvine are north of the project site along Jamboree Road and police service to the area would not be interrupted by construction of the project. During construction, open traffic lanes would be maintained on Jamboree Road which would provide emergency vehicles with sufficient access to pass through the construction area without interruption. With implementation of MM PS.1, a less than significant impact would occur.

iii) **Schools?**

No Impact. The proposed project would provide roadway improvements along Jamboree Road between North Bristol Street and Centerpointe. No residential or commercial uses are associated with the proposed project that could generate additional students or require the expansion or construction of additional school facilities. No impact would occur.

iv) **Parks?**

No Impact. The proposed project would provide roadway improvements along Jamboree Road between North Bristol Street and Centerpointe. No residential or

commercial uses are associated with the proposed project that could generate the need for additional parks or recreational facilities. No impact would occur.

v) **Other Public Facilities?**

No Impact. The proposed project would provide roadway improvements along Jamboree Road between North Bristol Street and Centerpointe. No residential or commercial uses are associated with the proposed project that could generate a demand for an expansion or creation of other public facilities, such as libraries. No impact would occur.

3.15 Recreation

Would the project:

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

or

- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?**

No Impact: The proposed project would provide roadway improvements along Jamboree Road between North Bristol Street and Centerpointe. The closest recreational facility in the City of Newport Beach is the passive trail system that surrounds the Upper Newport Bay. The closest recreation facility in the City of Irvine is Colonel Bill Barber Memorial Park on the corner of Barranca Parkway and Harvard Avenue, which provides active recreational uses, such as softball fields, baseball field, and tennis courts. The proposed project does not include recreational facilities. No residential or commercial uses are associated with the proposed project that could generate the need for or the expansion of parks or recreational facilities within either city. No impact would occur as a result of the proposed project.

3.16 Transportation/Circulation

Would the project:

- a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

Less Than Significant Impact. The length of the proposed improvements along Jamboree Road is approximately 1,400 feet (0.3 miles). Currently, Jamboree Road is an arterial street with a cross section of 120 feet curb face to curb face and a 134 foot right-of-way (ROW). Construction of the project could cause a small increase in traffic due to construction equipment and personnel travelling to and from the project site; however, this increase in traffic would be temporary and less than significant.

The City of Newport Beach Circulation Element of the General Plan governs the long term mobility system in the City. The goals and policies in the Circulation Element are closely correlated with the Land Use Element and are intended to provide the best possible balance between the City's future growth and land use development, roadway size, traffic service levels and community character. The Circulation Element includes intersection improvements that will reduce congestion at major arterial intersections and links to meet the acceptable level of service standards based upon analysis using the computerized traffic model with traffic projections to the year 2030. Circulation Element Policy CE 2.1.4 specifically requires the City to pursue the proposed Jamboree Road / MacArthur Blvd intersection improvement.

The City of Newport Beach has established a Level of Service (LOS) E as the criteria for acceptable operating conditions for any intersection within the Airport Area shared with the City of Irvine. The City of Irvine has established a LOS E or better for intersections located in the Irvine Business Complex. The intersection of Jamboree Road / MacArthur Blvd is a shared intersection located in both the Newport Beach Airport Area and Irvine Business Complex.

Based on the City of Newport Beach's General Plan, year 2030 forecast peak hour volumes through the intersection of Jamboree Road / MacArthur Blvd. total approximately 7,900 vehicles during the a.m. peak hour and approximately 8,900 vehicles during the p.m. peak hour. The Jamboree Road / MacArthur Blvd. intersection is forecast to operate at an unacceptable LOS (F) without any roadway improvements using both cities criteria. With implementation of the proposed improvements, the Jamboree Road / MacArthur Blvd intersection is forecast to operate at an acceptable LOS (D) for year 2030 forecast traffic volumes.

Therefore, the project does not conflict the City's Circulation Element goals and policies to improve the performance of the circulation system, but rather implements them. After implementation, the project would not reduce the opportunity for the public to utilize mass transit, non-motorized travel, or pedestrian facilities.

- b) **Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

No Impact. The Orange County Transportation Authority (OCTA) establishes level of service standards for Orange County, in which the project site is located. The proposed project would make improvements to Jamboree Road, and would not generate additional traffic in the area after construction. The proposed project is consistent with the City of Newport Beach Circulation Element Policies CE2.1.1 and CE2.1.4 as a project designed to improve Level of Service. Therefore, there would be no project impact on level of service standards established by OCTA.

- c) **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

No Impact. The proposed project would make improvements to Jamboree Road. Since the project would be constructed at- or below grade, there would be no impact to air traffic from John Wayne Airport. Therefore, the proposed project would not result in a change in air traffic patterns that would result in substantial safety risks to either aircraft or to the project site. No impact would occur

- d) **Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

No Impact. The proposed project would make improvements to Jamboree Road. The improvements along this segment include street widening to accommodate additional lanes at the intersection of Jamboree Road and MacArthur Boulevard, and other intersection improvements. Additionally, the project would add a dedicated left turn lane to southbound Jamboree Road turning onto eastbound MacArthur Boulevard; this facility was previously a shared turn lane. The roadway widening are along straight portions of Jamboree Road, no sharp curves or dangerous intersections would be created. No design feature is being introduced which would increase hazards at the Jamboree Road and MacArthur Boulevard intersection. Also, there would be no change to the uses at the project site after project construction. Therefore, the proposed project would not substantially increase safety hazards due to a design feature or incompatible use. No impact would occur.

- e) **Result in inadequate emergency access?**

Less Than Significant Impact with Mitigation: The Newport Beach and Irvine Police and Fire Departments are responsible for providing emergency services within the corporate limits of their respective cities. Use of the project site would remain similar to current conditions and would not adversely affect the ability of the Police and Fire Departments from either city to provide an adequate level of emergency service.

During construction, emergency service to existing uses in Newport Beach and Irvine would not be interrupted by construction of the project. During construction, open traffic lanes would be maintained on Jamboree Road which would provide emergency vehicles with sufficient access to pass through the

construction area without interruption. With implementation to MM HMM 1, a less than significant impact would occur.

MM HMM 1: Short-term impediments to roadway use shall be mitigated by a Traffic Control Plan (TCP) to be established by the project contractor prior to construction of any improvements. This Plan shall consist of prior notices, adequate sign-posting, detours, phased construction and temporary driveways where necessary. The Plan shall specify implementation timing of each plan element (prior notices, sign-posting, detours, etc.) as determined appropriate by the City Traffic Engineer. Proper detours and warning signs shall be established to ensure public safety. The TCP shall be devised so that construction will not interfere with emergency response or evacuation plans and condition the project contractor to maintain, at minimum, two-lanes of travel in each direction though the project area during the duration of construction. The TCP shall be prepared consistent with each jurisdictions' approved traffic control guidelines. Construction activities shall proceed in a timely manner to reduce impacts.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No Impact. The proposed project would make improvements to Jamboree Road. Currently, there are no bus turnouts or bicycle racks on or adjacent to the project site. The proposed project would not prevent any bus routes to continue to operate or provide service to the project area including the office building(s) in the Irvine Business Complex.

The sidewalk between the SR-73 northbound onramp and MacArthur Boulevard, on the eastside of Jamboree Road will be removed and not replaced. Pedestrian demand for this sidewalk segment is minimal as there are no adjacent residential or commercial uses. South of this area, on the other side of the SR-73 northbound onramp, there is no sidewalk; this is the bridge over the SR-73. North of this area, on the other side of MacArthur Boulevard, the roadway is being widened and the sidewalk will be removed with replacement sidewalk located further east. The sidewalk on the west side of Jamboree Road will not be disturbed except for the northwest corner of Jamboree Road and Bristol Street, where the sidewalk will be removed and relocated further west to provide for an additional right-turn lane from southbound Jamboree Road to westbound Bristol Street. Pedestrian facility performance and safety will not be diminished with the removal of the sidewalk facility for this segment as alternative facilities are available and adjacent to commercial uses.

Therefore, the proposed project would not conflict with adopted policies supporting alternative transportation.

3.17 Utilities & Service Systems

Would the project:

- a) **Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

or

- b) **Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

No Impact. The proposed project would make improvements to Jamboree Road. The proposed project would not construct any new buildings or otherwise induce population growth that would increase the demand for water or increase the amount of wastewater being generated into the system. Operation of the proposed project would not require additional sewer, wastewater treatment, or water services over current conditions. Therefore, no impact would occur.

- c) **Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

No Impact. The proposed project would make improvements to Jamboree Road, and does not include the construction of new storm water drainage facilities. However, south of MacArthur, one (1) catch basin along Jamboree Road would be relocated. Also, north of MacArthur, two (2) catch basins along Jamboree Road are being relocated. One (1) catch basin in the Centerpointe parking and a private 18" reinforced concrete pipe (RCP) is being reconstructed to avoid the proposed retaining wall on the corner of Jamboree Road and MacArthur Boulevard. These small improvements to Jamboree Road would not be considered a significant expansion of the existing storm drain facility. Therefore, no impact to storm water drainage facilities would occur.

- d) **Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**

No Impact. The proposed project would make improvements to Jamboree Road. The proposed project would not construct any new buildings or otherwise induce population growth that would increase the demand for water supplies. Operation of the proposed project would not require additional water supplies over current conditions. Therefore, no impact would occur.

- e) **Result in a determination by the wastewater treatment provider, which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

No Impact. The proposed project would make improvements to Jamboree Road. The proposed project would not construct any new buildings or otherwise induce population growth that would increase the demand for water or increase the amount of wastewater being generated into the system. Operation of the proposed project would not require additional sewer or wastewater treatment capacity over current conditions. Therefore, no impact would occur.

- f) **Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

or

- g) **Comply with federal, state, and local statutes and regulations related to solid waste?**

No Impact. The proposed project would make improvements to Jamboree Road. The proposed project would generate an insignificant amount of construction waste. The solid waste generated during the construction of the proposed project would be disposed of in accordance with all applicable statutes and conservation measures regarding solid waste and recycling of waste materials. Operation of the proposed project would not generate any solid waste. Therefore, no impact would occur.

3.18 Mandatory Findings of Significance

Would the project:

- a) **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?**

Less Than Significant Impact. The length of the proposed improvements along Jamboree Road is approximately 1,130 feet (0.2 miles). Based on the preceding analysis, the proposed project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. As demonstrated in Section IV (3.4 - Biological Resources) and Section V (3.5 - Cultural Resources) above, the proposed project would not result in substantial adverse effects on biological and cultural resources with the implementation of mitigation measures. Therefore, a less than significant impact would occur.

- b) **Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, effects of other current projects, and the effects of probable future projects.)**

Less Than Significant Impact. The proposed project would improve traffic flow along Jamboree Road and at the Jamboree Road/MacArthur Boulevard intersection. The proposed project would contribute air emissions and noise to the project area during short-term, temporary, project construction-related activities. For the environmental issues where the proposed project could potentially contribute to a cumulatively considerable impact, such as air and noise, a specific analysis of the potential for cumulative impacts has been included in the discussion. In addition, the proposed project would not induce growth that would promote cumulative impacts. Therefore, project impacts would be less than significant.

- c) **Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?**

Less Than Significant Impact. The proposed project would improve traffic flow along Jamboree Road and at the Jamboree Road/MacArthur Boulevard intersection. Based on the preceding analysis, the proposed project would not have adverse environmental effects that would directly or indirectly affect human

beings. The proposed project would generate limited air emissions, noise, and other effects on human beings during short-term, temporary, project construction related activities. However, as demonstrated in this document, the proposed project would not result in any substantial adverse effects that could not be mitigated to less than significant levels. Therefore, a less than significant impact would occur.

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Section 4

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Appendix A
URBEMIS2007 Output Files

Appendix B
Biological Assessment